HENRY THE EYGHT BY THE GRACE OF GOD KYNG OF ENGLANDE FRAVNCE AND Irelande, defendour of the faythe, and of the churche of Englande, and also of Irelande, in earthe the supreme heade: to the honour of almyghty God, and for the concorde, quyete, and wealthe of this his realme, and subiectes of the same, beganne this thyrde Session of his moste high courte of parlyament at westmynster, the. XIIII. day of Januarye, in the fyue and thyrty yere of his maiesties moste noble and victorious reygne, and there held & continued the same third session tyll the. xxix. day of Marche, in the said fiue and thirty yere, wherin were established these actes folowynge.

LONDINI.
IN ædibus Thomæ Bertheleti regii impressoris typis excusum.
ANNO uerbi incarnati. M.D.XLIIII.

CVM PRIVILEGIO AD IMPRIMENDVM SOLVM.

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WHERE IN THE parliament holden at Westminster the, VIII. day of June, in the. XXVIII. yere of the reigne of our most drad souerayne lorde king HENRY the. VIII. an act was had and made for the establishment of the succession of the imperiall crowne of this realme of England, by whiche acte emonges diuers other thinges, it was enacted, that the Imperial crowne of this realme, with al dignities, honours, preeminences, prerogatiues, auctorities, and iurisdictions to the same annexed or belonging, shuld be to the kinges maiesty and his heires of his body laufully begotten: that is to say, to the first sonne of his body betwen his highnes and his then lawful wyfe quene IANE now deceased begotten, and to the heires of the bodye of the same firste sonne lawfully begotten. And for defaulte of suche heyres, then to the seconde sonne of his highnes body, and of the body of the sayd quene IANE begotten, and to the heyres of the body of the same second sonne begotten, with diuers other limitations of the estates, conueiance, and remainders of the sayd imperiall crowne, and other the premisses. And it was also enacted further by the sayd statute, that for lacke of issue of our sayd souerayn lord the kinges body lawfully begotten, That then his highnes shulde and myght geue, wille, limitte, assigne, appoynt, or dispose the said imperial crown, and other the premisses, to what person, or persons, and geue the same persone or persons suche estate in the same, as it shoulde please his maiestie: by his gracious letters patentes vnder the great seale, or by his last wyll in wryting, signed with his moste gracious hande, as by the same act emonges diuers other thinges therin cõteined more at large it doth appere. Sithen the making of whiche acte, the kynges maiestie hathe onely issue of his body lawfully begotten betwixt his highnes and his sayd late wyfe quene Jane, the noble and excellent Prince, prince EDWARDE, whom almightie god longe preserue. And also his maiesty hath now of late, sithen the deth of the said quene Jane, taken to his wife the most vertuous and gracious lady KATHERINE nowe queene of England, late wyfe of John Neuyll, knight, lorde Latimer deceased, by whom as yet his maiestie hath none issue, but may haue full wel, when it shall please god. And forasmuche as our sayd moost drad soueraign lord the kyng, vpon good and iust groundes and causes, entendeth by gods grace, to make a voyage royall in his most royal person, into the realme of France, agaynst his auncient enemie the frenche kyng: his highnes moost prudently and wisely considering and callyng to his remembraunce, how this realme standeth at this present tyme in the case of succession, and paysing and waieng further with him self, the great trust and confidence that his louing subiectes haue had, and haue in him puttyng in his handes holly the ordre and declaration of the succession of this realme: Recognising and knowleging also, that it is in the only

pleasure and wyll of almighty god, howe long his highnes, or his sayd entirely beloued sonne prince EDVVARDE shall lyue. and whether the sayde prince shall haue heyres of his body lawfully begotten or not, or whether his highnes shall haue heyres begotten and procreated betwene his maiestie and his sayd most dere and entyerly beloued wife quene KATHERINE that nowe is, or any lawfull heires and issues hereafter of his owne bodye begotten by any other his lawfull wife. And albeit that the kynges moost excellent maiestie, for defaulte of suche heyres as be enheritable by the sayd acte, might by the auctoritie of the sayde act geue and dispose the said imperial crown, and other the premisses by his letters patentes vnder his great seale, or by his last wyll in wryting signed with his moost gracious hande, to any persone or persons, of suche estate therin, as shulde please his highnes to limite and appoynt: yet to the entent that his maiesties disposition and mynde therin shuld be openly declared and manifestly knowen, and notified as well to the lordes spirituall and temporall, as to all other his louyng and obedient subiectes of this his realm, to the intent that their assent and consent mighte appere to concurre with thus farre as foloweth of his maiesties declaration in this behalfe: His maiestie therfore thinketh conuenient, afore his departure beyond the seas, that it be enacted by his highnes, with the assent of the lordes spirituall and temporall, and the commons in this present parlyament assembled, and by the auctoritie of the same, and therfore be it enacted by thauctority aforesaid, that in case it shal happen the kinges maiestie, and the sayd excellent prince his yet onely sonne prince Edwarde, & heire apparant, to decease without heire of eyther of theyr bodies laufully begotten (as god defende) so that there be no such heire masle or female of any of their two bodies, to haue & inherite the said imperial crowne, and other his dominions, according and in such maner and fourm as in the foresaid act, & now in this is declared: That then the said imperial crowne, and all other the premisses, shalbe to the lady MARY, the kynges highnes doughter, and to the heyres of the body of the same lady Mary lawfully begotten, with suche conditions, as by his highnes shalbe limitted by his letters patentes vnder his great seale, or by his maiesties last wyl in writting signed with his gracious hand. And for defaulte of such issue, the saide imperial crowne and other the premisses, shalbe to the lady ELIZABETH, the kinges second doughter, and to the heyres of the body of the sayd lady Elyzabeth lawfully begotten, with suche condicions, as by his highnes shalbe limitted by his letters patentes vnder his great seale, or by his maiestyes last wyll in wryting, signed with his gracions hande, any thyng in the said acte made in the sayd. XXVIII. yere of our said soueraigne lorde, to the contrary of this acte, notwithstanding.

¶PROVIDED alway and be it enacted by auctoritie aforesayd, that if the sayd lady Mary, do not kepe & performe such condicions, which the kinges maiestye shall hereafter by his graces letters patentes, sealed vnder his greate seale, or by his maiesties last wyll in wryting, signed with his highnes

nes hand, declare and lymite to her sayd estate, in the said imperial crowne, and other the premisses: That then and from thensefoꝛth, foꝛ lacke of heyꝛes of the seuerall bodies of the kynges mateſtie, and the sayde pꝛynce Edwarde lawfully begotten, the sayde imperiall crowne, and other the pꝛemisses, shalbe and come to the said lady Elizabeth, and to the heires of her body lawfully begotten, in suche lyke maner and foꝛme, as though the saide lady Mary were then deade, without any heyꝛe of her body begotten, any thyng in this acte conteyned to the contrary not withstandyng.

¶ AND be it further enacted by the auctoꝛitie afoꝛesayde, that if the sayde lady Mary do kepe and perfoꝛme suche conditions, whiche the kinges mateſtie shall hereafter by his graces letters patentes, sealed vnder his greate seale, oꝛ by his mateſties last wyl in wꝛiting, signed with his highnes hand, declare and limitte to her sayde estate, as is afoꝛesayd. And that the sayde lady Elyzabeth, foꝛ her parte, do not kepe and perfourme suche condicions, which the kinges mateſtie shal hereafter by his graces letters patentes, sealed vnder his great seale, oꝛ by his highnes laſte wyll in wꝛytinge, signed with his moſte gracious hande, declare and limit to her sayd estate in foꝛme afoꝛesaid: That then and from thensefoꝛth, foꝛ lacke of heires of the seueral bodies of the kinges mateſtie, the sayde loꝛde pꝛynce, and of the sayd lady Mary lawfully begotten, the sayde imperiall crowne and other the pꝛemisses, shalbe and come to suche perſon and perſons, and of such estate and estates, as the kynges highnes by his letters patentes, sealed vnder his great seale, oꝛ by his last wyl in wꝛityng, signed with his mateſties hande, shal limitte and appoint.

¶ PROVIDED alway that if the said lady Mary do not kepe and perfoꝛme such conditions, whiche shall be limitted and appointed to her sayde estate in the sayde imperiall crowne, and other the pꝛemisses, as is afoꝛesayd: and the sayde lady Elizabeth beyng then deade without any heyꝛe of her bodye lawfully begotten: That then and from thensefoꝛth, foꝛ lacke of heyꝛes of the seuerall bodyes of the kinges mateſtie, and the said loꝛd pꝛince, laufully begotten, the sayd imperial crowne, and other the pꝛemisses. shall be, come, and remaine to suche perſon and perſons, and of suche estate and estates, as the kinges highnes by his letters patentes, sealed vnder his great seale, oꝛ by his last wyl in wꝛyting, signed with his mateſties hande, shal limitte and appoint.

¶ Pꝛouyded alwayes, and be it enacted by auctoꝛitie afoꝛesaid, that in case the kynges mateſtie do not declare and limit by his letters patentes, oꝛ by his last wyll, in fourme as is afoꝛesayd, any condition to the estates and intereſtes afoꝛe limitted, to the sayd lady Mary and lady Elizabeth, noꝛ to the state oꝛ interest of any of them: That then euery such of the said lady Mary and lady Elizabeth. to whoſe estate oꝛ interest no cõditiõ shalbe limitted by the kynges mateſtie in foꝛme afoꝛesayde, shal haue and enioy suche interest estate and remainder in the sayd imperial crowne, and other the pꝛemisses, as is befoꝛe limited by this act, without any maner of condition. Any thing

in this present acte to the contrary therof notwithstandyng.

¶ And forasmoche as it standeth in the onely pleasure and wil of almighty god, whether the kynges maiestie shall haue any heyres begotten and procreated betwene his highnes, and his sayde moste entirely beloued wife quene Katherine, or by any other his lawful wyfe, or whether the said prince Edwarde shal haue issue of his body lawfully begotten, or whether the lady Mary, and lady Elizabeth, or any of them, shall haue any issue of any of their seuerall bodies lawfully begotten, and if suche heyres shoulde fayle (whiche god defend) and no prouision made in the kynges lyfe, who shulde rule and gouerne this realme, for lacke of suche heires, as in this present act is afore mencioned: That then this realme, after the kynges transitory life, and for lacke of suche heyres, shuld be destitute of a lawful gouernour, to order rule and gouerne the same. Be it therfore enacted by the auctority of this present parlyament, that the kynges highnes shall haue full power and auctoritie, to gyue, dispose, appoint, assigne, declare, and limitte by his gracious letters patentes vnder his great seale, or els by his highnes last wyl made in wrytyng, and sygned with his most gracious hand, at his only pleasure, from time to time hereafter, the imperial crowne of this realme, and all other the premisses, to be, remayne, succede, and come after his decease, and for lacke of lauful heires of either of the bodies of the kinges highnes, and prynce Edwarde begotten, and also for lacke of lawful heyres of the bodies of the sayd lady Mary, and lady Elizabeth to be procreated and begotten, as is afore lymitted in this acte, to such person or persons in remainder or reuertion, as shal please his highnes, and according to such estate, and after suche maner and fourme fashion order or condition, as shal be expressed declared named and lymitted in his highnes letters patentes, or by his last wyll in wrytyng sygned with his most gracious hand as is aforesayd: Anything conteyned in this present act, or in the said former act, to the contrary therof in any wyse notwithstandyng.

¶ And for further corroboration of this present acte, and of the sayde acte made in the sayde. xxviii. yere of our sayd soueraigne lorde, and also vtterly to exclude the long vsurped power auctoritie and iurisdiction of the bisshoppes of Rome, where in the sayde acte made for the establyshment of the kynges succession, at the sayd parliament holden at Westminster the. viii. day of June, in the. xxviii. yere of the kynges maiesties reigne, there is one othe limitted in the sayde acte, as in the said act amonges other thinges appereth. And where also at the sayd parlyament, there was an other statute made and ordeined against suche as wolde both extoll and stande to the iurisdiction power and auctoritie of the see and bysshop of Rome, in whiche statute there is comprysed an other othe in suche wise, as in the same statute amõgest other thinges is mencioned. Forasmuch as in both the said othes, mencioned in the sayd seueral actes, there lacketh ful and sufficient wordes, wherby some doubes myght aryse: Therefore be it enacted by auctoritie of this present parlyament, that from and after the last daye of this session, al

and

and euery ſuche perſon and perſons, whiche be ordered and limitted by the ſaide ſeuerall actes, to take the ſayde othes mencioned in the ſame actes, ſhal from thenſforth, in lieu and place of thoſe two othes, take and ſwere this corporall othe, according to the tenour enſuing. And that they, whiche haue alredy ſworne the other forſayde othes or any of them, ſhall take and eſteme it of the ſame effecte and force, as though they had ſworne this. Whiche former othes notwithſtanding, becauſe they be not ſo pitthie to all effectes, nor ſo plainly ſet forth as were conuenient, Therfore be it enacted by auctoritie of this preſent parlyament, that after this preſent ſeſſion, the ſaid othes, ſpecifyed in the ſaid ſeuerall actes, ſhal not thereafter be miniſtred, nor any perſō hereafter be compelled to accepte the ſame, and this othe hereafter mencioned in this acte, to ſtande in force and place of the ſayde two othes.

¶ I, A. B. hauing now the baile of darknes of the vſurped power, auctoritie, and iuriſdiction of the ſee and byſhops of Rome clerely taken away from mine eyes, do vtterly teſtifie and declare in my conſcience, that neyther the ſee nor the byſhop of Rome, nor any forayne poteſtate, hathe nor ought to haue any iuriſdiction power or auctorite within this realme, neither by goddis lawe, nor by any other iuſt lawe or meanes. And thoughe by ſuffrance and abuſions in times paſſed, they aforeſayde haue vſurped and vendicated a fayned and an vnlawfull power and iuriſdiction within this realme, whiche hath ben ſupported tyll fewe yeres paſſed, therfore bycauſe it myghte be demed and thought therby, that I toke or take it for iuſte and good, I therfore now do clerely and frankely renounce, refuſe, relinquyſhe, and forſake that pretēded auctorite, power and iuriſdiction, both of the ſee and byſhop of Rome, and of al other forayn powers: And that I ſhal neuer conſent, nor agree, that the foreſayde ſee or byſhop of Rome, or any of theyr ſucceſſours, ſhall practyſe, exerciſe, or haue any maner of auctorite, iuriſdiction, or power, within this realme, or any other the kynges realmes or dominions, nor any forayne poteſtate, of what eſtate, degree, or condition ſo euer he be, but that I ſhall reſiſte the ſame at all tymes, to the vttermoſt of my power: And that I ſhall beare fayth trouth and true allegiaunce to the kynges mateſtie, and to his heyres and ſucceſſours, declared or hereafter to be declared by auctorite of the acte made in the ſeſſion of the parlyament holden at Weſtminſter the. xiiii. daye of January, in the. xxxb. yere. and in the ſayde acte made in the. xxviii. yere of the kynges mateſties reign: And that I ſhall accepte, repute, and take the kynges mateſty, his heyres and ſucceſſours, when they or any of them ſhall enioye his place, to be the onely ſupreme heade in erth vnder god of the churche of England and Irelande, and of all other his highnes dominions: and that with my bodye, cunnyng, witte, and vttermoſt of my power, without guyle, fraude, or other vndue meane, I ſhall obſerue, keepe, maynteyn, and defende all the kynges mateſties ſtyles, titles, and rightes, with the hole effectes and contentes of the actes prouyded for the ſame, and all other actes and ſtatutes made or to be made within this realme, in and for that purpoſe, and the derogation

rogation, extirpation, and extinguishment of the vsurped and pretended auctoritie, power and iurisdiction of the see and bysshop of Rome, and all other forayne potestates, as afore: And also as well the sayd statute made in the sayde. xxviii. yere, as the statute made in the sayde session of the parlyament, holden the. xxxv. yere of the kinges maiesties reygne, for establishment and declaration of his highnes succession, and all actes and statutes made and to be made in confyrmation and corroboration of the kynges maiesties power, and supremacie in earth of the churche of Englande and of Ireland, and other his graces dominions, I shall also defende and maynteyne with my body and goodes, and with all my wytte and power, and this I shall do agaynst all maner of persons, of what estate dygnytye degree, or condition they be, and in no wise do nor attempt, nor to my power suffer, or knowe to be done or attempted, dyrectly or indyrectly, any thyng or thynges prively or apertly to the let, hinderance, damage, or derogation of any of the sayde statutes, or of any parte of them, by any maner of meanes, or for or by any maner of pretence. And in case any othe hath ben made by me to any person or persons, in mayntenance, defence, or fauour of the see and bysshop of Rome, or his auctoritie, iurisdiction, or power, or against any the statutes aforesayde, I repute the same as vayne and annihilate, shall holly and trewely obserue and kepe this othe, so helpe me god, all sainctes, and the holy euangelistes.

¶ And it is also enacted by auctoritie aforesayde, that all and euery person and persons, spirituall and temporall, suing liuery restitution or ouster le main, out of the kynges his heyres or successours handes, or doing any fealtie to his highnes his heires or successours, or whiche shall be sworne to the kynge, his heyres or successours, or that shall haue any offyce, fee, or rowme of the moost gracious gift of the kynges maiestie, his heyres or successours, or shalbe receiued in seruice with his grace. his heyres or successours, shall make take and receyue the sayde othe. And that also all and euery other ecclesiasticall person, at the tyme of his takyng of orders, And al and euery other person, whiche shall be promoted or preferred to any degree of lernynge, in any vniuersitie within this his realme, or other the kinges dominions, at the time of his or their promotion or preferment, or euery of them, shall make, take, and receiue the said othe, by this acte sette forth and declared, as is aforesayd, before his or theyr ordinary, or the commissarie of suche vniuersitie. And that al and singular other the kinges maiesties subiectes and resiantes within this his graces realme, and others his maiesties dominions, at his highnesses wyl and pleasure shal accepte and take the same othe, before such commissioner or commissioners, as his highnesse shall appoint for the same.

¶ And it is also enacted by the auctoritie aforesayde, that if any person or persons, limitted or commaunded by thauctoritie of this acte, to make and take the sayd othe, or commaunded by any other person or persons, auctorised by the kynges highnes commission vnder his great seale, to make the

sayde

sayd othe, obstinately refuse that to doo: that than euery suche offence and contempte shall be hygh treason, and the offendours therof beyng laufully conuicted, shall suffer peynes of death, and other forfaytures, penalties, and losses, as is limited & accustomed in cases of high treso, by any lawes or statutes of this realme, heretofore had or made in any wise cocerning the same. ¶ And be it further enacted by auctoritie aforesayde, that if any person or persons, of what estate degree dignitie or condition so euer they be, at any tyme hereafter, by wordes writing, imprintyng, or by any exterior acte or dede, malicyously or wyllyngly procure or do, or cause to be procured or done directly or indirectly, any thyng or thinges, to or for the interruption repell or adnullation of this acte, or of any thynge therin conteyned, or of any thing that shalbe done by the kynges highnes, in the lymitation and disposition of his maiesties crown, and other the premisses, by auctority of the same, or to the peryll slander or dishinherison of any the issues and heyres of the kynges maiestie, being limited by this act, to inherite & to be inheritable to the crown, of this realme, in such forme as is aforsaid, or to the interuptio or discherison of any person or persons, to whom the imperial crowne of this realme, and other the premisses, is assigned limitted and appoynted by this acte, or shalbe by the kynges maiesties letters patentes vnder his highnes great seale, or by his last wyll in wryting, signed with his mooste gracious hande, lymitted and disposed by auctoritie of this act, as is aforesaid, wherby any suche issues or heyres of the kinges maiestie, or suche other person or persons, myght be distroyed dysturbed or interrupted, in body or title of the inheritance of the crowne of this realme, as to them is limitted in this act, in forme aboue rehersed, or as to them shall be limitted and assigned by the kynges hyghnes, by vertue and auctoritie of this acte: that then euery suche person and persons, of what estate degree or condition so euer he or they be, and theyr aydours counsaylours maynteinours & abbettours and euery of them, for euery suche offence afore declared, shalbe adiudged hygh traytours, and that euery suche offence afore specified, shall be adiudged hyghe treason, & the offendours therin, their aydours coūsaylours mayntcynours and abbettours, and euery of them, being laufully conuict of any suche offence, after the lawes and customes of this Realme, shall suffer peynes of death, and losses and forfaytures, as in cases of high treason. Sauyng alwayto euery person and persons and bodies politike, to theyr heyres assygnes and successours, and to the heyres and successours of euery of them, other than suche persons, as shall be so conuicte or attainted, and their heyres and successours, and all other claiming to theyr vses, all such right title vse interest possession cōdition rentes fees offices annuities and commons, whiche they or any of them shall haue, in or vpon any suche manours landes tenementes rentes annuities or hereditamentes, that shal so happen to be lost and forfayt, by reason of any conuiction or attainder for any the tresons and offences aboue rehersed, at any tyme before the sayd treasons and offences committed.

In act

¶ An acte concernyng the triall of treasons committed out of the kynges maiesties dominions. Cap. ii.

FORASMOCHE as some doubes and questions haue ben moued, that certain kindes of treasons mispʒisions and concelementes of treasons, done perpetrated oʒ committed out of the kynges maiesties realme of Englande, and other his graces dominions, can not, ne may by the cõmon lawes of this realme be inquired of, herde and determined within this his sayd realme of England. Foʒ a playne remedy oʒder and declaration therin to be had and made: Be it enacted by auctoʒitie of this pʒesent parlyament, that all maner of offences, being alredy made oʒ declared, oʒ hereafter to be made oʒ declared by anye the lawes and statutes of thys realme, to be treasons, misprisions of treasonnes, oʒ concelementes of treasons, and done perpetrated oʒ cõmitted, oʒ hereafter to be done perpetrated oʒ commytted, by any person oʒ persones, out of this realme of Englande, shall be from henseforth inquyred of, herde and determined before the kynges Justyces of his benche, foʒ pleas to be holden before hym selfe, by good and lawful men of the same shiere, where the sayde benche shall sytt and be kepte, oʒ els before such commissioners, and in such shiere of the realme, as shalbe assygned by the kynges maiesties commission, and by good and lawfull men of the same shire, in like maner and fourme to al ententes and purposes, as if suche treasons, mysprysyons of treasons, oʒ concelementes of treasons, had ben done perpetrated and commytted within the same shyre, where they shal be so inquyred of, herde, and determined, as is aforesayd. ¶ PROVIDED alwayes that if any the peeres of this realme shal happen to be indited of any suche treasons, oʒ other offences aforesaid, by auctoʒity of this acte: That then after suche indytement, they shall haue theyʒ triall by theyʒ peeres, in suche lyke maner and fourme as hathe ben heretofoʒe accustomed.

¶ An acte foʒ the ratification of the kynges maiesties style. Cap. iii.

WHERE our most dʒadde natural and gratious soueraign liege loʒde the kyng, hath heretofoʒe ben and is iustely lawfully and notoʒiously knowen named publyshed and declared to be king of England France and Ireland, defendour of the feyth, and of the churche of England and also of Irelande in earthe supʒeme heade, and hath iustly and lawfully vsed the title and name therof, as to his grace appertayneth: Be it enacted by the kyng our soueraigne loʒd, with the assent of the loʒdes spirituall and tempoʒall, and the commons in this pʒesent parliament assembled, and by the auctoʒitie of the same, that all and syngular his graces subiectes and resiantes, of oʒ within this his realme of England Irelande and els where within other his maiesties dominions, shall from henseforth accepte & take the

the same his maiesties stile, as it is declared and set forth in maner & fourme folowyng, that is to say, in the latine tongue by these wordes, Henricus octauus dei gratia Angliæ Franciæ & Hibernię rex, fidei defensor, & in terra ecclesiæ Anglicanæ & Hibernicæ supremum caput, and in the englyshe tongue by these wordes, HENRY the eyght, by the grace of god kyng of England Fraunce and Ireland, defendour of the feyth, and of the churche of England and also of Ireland in earth the supreme head: And that the sayd style declared and set forth by this acte, in maner and fourme as is aboue mencioned, shal be from hensefoorth by thauctoritie aforesayd, vnyted and annexed for euer, to the imperiall crowne of this his highnes realme of England.

¶ AND be it further enacted by the auctoritie aforesaid, that if any person or persons, of what estate dignitie degree or condition so euer he or they be, at any tyme after the feast of Ester next commyng, craftely imagine inuente or attempte by colour of any pretence, to depriue the kynges highnes, the queene, the prince, or the heyres of the body of the kynges maiestie lawfully begotten, or the heires of the body of the prince lawfully begotten, or any person or persons, to whome the imperial crowne of this realme is lymitted in this present session of parlyament, or at any tyme hereafter shall be limitted and disposed by the kynges highnes, by his gratious letters patentes, or by his highnes last wyl in writyng, signed with his most gratious hand, of any of their titles stiles names degrees or rotal estate or regal power, whiche as is aboueseyd, is limitted vnyted or appointed to the imperial crowne of this his realme, or that hereafter by auctoritie of parlyament shal be set forth limitted vnited or appointed to the sayd imperiall crowne: that then euery suche offence and contempt shalbe demed and adiudged high treason, and the offendour and offendours therin, and their aydours councellours mayntenours and abettours, and euery of them, beinge therof lawfully conuicted, shalbe demed and adiuged high traytours, and shal suffre peines of death and other forfaitures penalties and losses, as is accustomed and lymitted by any lawe or statute in this realme heretofore had or made, for or in cases of high treason. Sauyng to euery such person and persons, and bodies politike, to their heires assignes and successours, and to the heires assignes and successours of euery of them (other then such persons as shalbe conuicted or atteynted, and their heires and successours, and all other claiming to their vse) al suche right title interest vse possession condition rentes fees offices annuities and commons, whiche they or any of them shall haue in or vpon any manours landes tenementes rentes fees offices annuities or hereditamentes, that shal so happen to be loste and forfeyte by reason of any conuiction or atteynder, for any of the treasons or offences aboue reherssed, at any tyme before the sayd treasons and offences committed.

An act

¶ An acte touchyng the repayring and amendyng of certaine decayed houses and tenementes, as well in Englande as in Wales. Cap. iiii.

FORASMOCHE as in times past diuers and many beautiful houses of habitation haue bene within the walles and liberties of the towne of Shrewesbury in the countie of Salop, the citie of Chester in the countye of Chester, the towne of Ludlowe in the county of Salop, Hauerford west in the coũty of Hauerforde in Southwales, the towne of Pembroke tenbie in the county of Pembroke, the towne of Karmerdyn in the countye of Karmerdyn, the towne of Mountgomery in the countye of Mountgomery, Cardiffe Swanſſe Cowbryge New Radnor and Prestend in the coũty of Radnor, the towne of Brecknok in the countye of Brecknok, and the towne of Monmouth in the countye of Monmouth, the towne of Maldon in the countie of Eſſex, the townes of Abargauenny, Uske, Carlyon, and Newporte in the county of Monmouth, the townes of Lancastre, Preston, Liuerpole, and Wygan, in the county Palantine of Lancaster, which nowe are fallen downe, decayed, and at this tyme remayne vnreedifyed, lying as desolate and voyde groundes, and many of them adioyning nygh vnto the high stretes replenished with moche ordure filth and vncleannes, with pittes sellars and vautes lying open and vncouered, to the greate peryll and daungier of all the inhabitantes and other the kinges subiectes passing by the same, and some houses be very weake and feble redy to fall downe, and be very daungerous to passe by, to the decay and hynderance of the sayd citie broughes and townes. It maye therfore be enacted by the kyng our soueraygne lord, the lordes spirituall and temporall, and the commons of this present parliament assembled, and by the auctorite of the same, that if any person or persons or bodies politike, being owners or possessioners of any suche desolate or voyde groundes, that at any tyme within fyue and forty yeres next before the makyng of this acte, haue bene buylded for houses of habitation, or for any house or houses of habitation, nowe or hereafter being in decaye, and not fully fallen downe, within the lyberties and precinctes of any of the sayd borroughes townes and places, doo not sufficientely reedify builde and repayre, or cause to be reedified builded and repaired the sayde desolate voide groundes and decayed houses, conuenient for habitation and dwellyng, within two yeres next after proclamation to be made in or vpon the same voyde grounde or groundes, decayed house or houses, by the mayres aldermen baylyffes and burgesses or other head officers, within the precincte of theyr owne auctorities: that than it shall be laufull for the chiefe lorde or lordes immediate, of whom suche desolate and voide groundes, decayed and ruinous houses be holden, after the sayde two yeres be expired, to entre into the same, and to haue the same groundes or houses with the curtilage, backeside, gardein, and orcharde adioyninge to the same, yf they be of the inheritance of the owner or owners of the sayd decayde house or grounde, and excede not one acre of ground, to them and to theyr heyres or succes-

or successours, or to their owne proper vse for euer: so that the said lorde or lordes immediate, entryng by the auctoritie of this act, do sufficiently reedifie buylde or repayre the same voyde ground or decayde houses, within two yeres and an halfe next and immediatly folowing the determinatiō of the foresayd fyrste two yeres. And in case suche lorde or lordes, as may entre by this act, do not enter and well and sufficiently reedifie buylde or repaire the same voyde groundes or decayed houses within the saide two yeres and an halfe, to them lymitted by this acte, or if suche lorde or lordes immediate as may enter by this acte, do sufficiently reedifie buylde and repayre the same voyde groundes or decayde houses within the said two yeres and an halfe, to them lymitted, and after they their heyres or successours suffre the same houses or voyde groundes to falle in ruine and decay, and do not buylde or reedifie the same sufficiently within two yeres and an halfe of such ruine or decaye: that then it shalbe lefull to all person or persons or bodies politike, as shal than haue any rent charge iointly or severally going out of the said voyde grounde or groundes, or decayed house or houses, in any of the said citie boroughes townes or places, immediately after the said two yeres and an halfe expyred, to enter into the same, and to haue to suche of them, their heyres and successours, to their owne proper vse, as shall so buylde the said voyde groundes or decayed houses by auctoritie of this act, the same voide groundes or houses, with the curtilage backeside gardeyne and orcharde adioyning to the same, if they be of the inheritance of the owner or owners of the said decaied house or ground, and excede not the quantitie of one acre of ground, discharged of al rentes going out of the same groundes or houses, as well agaynst the sayde lorde and lordes immediate, as all other person or persons or bodies politike, hauyng any rent or rentes charges, rent seeke out of the same, other thanne the fee ferme of the saide citie borough towne or place, or some parcell therof, so that the sayde person or persons or bodies politike, hauynge the saide rent charge, entryng by the auctoritie of this acte, do sufficientely reedifie buylde and repayre the same desolate and voyde grounde or groundes, or decayed house or houses, within oone yere and thre quarters nexte and immediately folowynge the determination of the said two yeres and an halfe, to the sayde lorde or lordes immediate appoynted by this act. And in case suche person or persons or bodies politike, hauyng any of the sayd rentes charges, as may enter by this act, do not enter, and well and sufficiently reedifie buyld or repayre the same voyd groūdes or decayed houses, within one yere and thre quarters to them appoynted by vertue of this act, or if they or any of them, hauing such rent charge, and that may enter by this act, do sufficientely buylde and repayre the same voyde ground or groundes, or decaied houle or houses, within the said one yere and thre quarters to them limytted, and after they their heyres or successours suffre the same void ground or groundes, house or houses, to falle in ruine and decay, and do not buyld or reedifie the same sufficiently within one yere and thre quarters after such ruine or decay: that then it shalbe le-

full to the mayres, aldermen, and burgesses, and other the head officers of the said city boroughes townes and places, by what name or names so euer they be incorporated, and they? successours, and euery of them, within the limittes of their auctorities, immediatly after ? saide yere and thre quarters expired, into euery suche desolate and voyde groundes, decayed or ruinous houses to enter, and to haue holde and inioy to them and they? successours for euer, to their owne vses, the same groũdes or houses and euery of them, with the curtilages gardeins orchardes and backsydes to the same, if they be of the inheritance of the owner or owners of the saide decayed house or grounde, and excede not in quantitie one acre of grounde, clerely discharged of all rentes going out of the same groundes or houses, as wel against the said lorde or lordes immediate, as all other person or persons, or bodies politike, hauyng such rent charge or rent secke as before is said, other than the fee ferme of the said citi borough towne or place, or parcel therof, so that the same mayres aldermen and burgesses, or other head officer, as is aforesaid, or they? successours, for the tyme beinge, do reedifie buylde or repayre, or cause to be reedified or repayred the same grounde or groundes, house or houses, within thre yeres next and immediatly folowyng the determination of the said yere & thre quarters limitted or appointed to such person or persons, or bodies politike, that haue or shal haue any rent as is aforesaid. And in case the said mayres aldermen & burgesses or other hed officers as is aforsaid, or their successours, do not enter & reedify buyld and repaire the same voyde ground or groundes, decayed house or houses, in forme aforesaide, within the saide terme of iii. yeres after their sayde entry, or if they sufficiently reedify build and repayre the same voyd grounde or groundes, or decayed house or houses, within the saide thre yeres to them lymitted by this act, and after they or they? successours suffer the same house or houses, voyde ground or groundes to falle in ruine and decay, and do not buylde and reedifye the same sufficiently within thre yeres after such ruine or decay: that than it shall be lefull to the fyrste owner or owners, possessour or possessours of suche grounde or groundes, decayed house or houses, they? heyres or successours, immediatly after the said thre yeres to the said mayres aldermen and burgesses, and other head officers, as is afore lymitted, expired, into the same houses greunde or groundes, curtilages gardeynes orchyardes and backesydes to enter, and the same to reteyne to them, they? heyres and successours, as in they? fyrst estate, any thyng conteyned in this present acte to the contrarye not withstandynge.

Prouided alwaye, that this acte or any thynge therin contcined, be not in any wyse hurtfull, or preiudiciall to any person or persons, beyng at the tyme of the saide proclamation made, vnder the age of xxi. yeres, or beyng feme couert, or in prison, or beyonde the sea, in the kynges warres, or in other lefull affayres, or to any person or persons not beinge than of whole and perfect memory: duryng the tyme that suche person or persons shal be within age, married, in prison, or of no perfect memory, or beyonde the sea,

so that

so that the same person or persons, they? heyres or successours, after that he or they come to they? full age of. xxi. yeres, or be vnmaried, out of the pri-son, or come agayne within this royalme, or be of whole and perfect memo-ry, within thre yeres than next ensuing, do reedify the same desolate or void groundes, or repayre the saide decayed houses.

¶ An acte concernyng the qualification of the statute of the syxe articles Cap. v.

Where by the good and godly acte and statute, concernynge the. vi. articles, made in the parliamēt holdē at westñ, the xxviii. day of Apryll, in the. xxxi. yere of ꝑ kynges maiesties most noble reigne, it was ordeyned and establisshed amon-ges other thinges, that for certayne kyndes of heresies and other offences, expressed in the same statute, the offendours therin being of them conuicted, shuld suffre peynes of death, or other suche peynes as for euery of the offences in the same statute expressed, is in the same specially and seuerally mēcioned: And where also by force of the same statute dyuers secrete and vntrue accusations and presentmentes maye be maliciously cōspired agaynst the kynges subiectes, and kepte secrete vnre-ueled, that such as be accused shuld not haue knowledge therof, to come to their declaratiō, vntill a tyme may be espied to haue them therof by malice cōuicted, to the great perill and daūgier of the kinges maiesties subiectes, if the same statute shuld not in some parte therof be tempered qualified or reformed. And to the intent that all presentmētes and inditementes of such offences as be conteyned in the sayd statute, concernyng the saide. vi. arti-cles, whervnto any person shalbe put to aunswere, shulde be taken in open and manifest courtes by the othes of. xii. indifferent persons, accordyng to good equitye and conscience, and as other presentmentes haue ben vsed to be taken within this realme in suche weighty causes, accordyng to the lau-dable custom and vsage of the same. And that also the inquiries and trials of and vpon the sayd presentmentes and inditementes may iustly and cha-ritably procede without corruption or malyce accordyngly: Be it therfore enacted, by auctoritie of this present parliament, that no person or persons from henceforth shalbe arrayned or put to his or they? triall, of for or vpon any accusation information or presentment concernyng any of the offences comprised within the said former acte, but onely vpon such presentmentes and inditementes as be or shalbe founde and made by the othes of. xii. men or mo, afore such commissioners as be or shalbe specially auctorised to en-quire of the offences cōteyned in the sayd former statute by the kynges ma-iesties commission, or three of them at the least, syttyng in they? sessyons, or before the Iustices of the peace syttyng in they? sessions, or three of them at the least, or before the Iustices of oyer and terminer, or three of them at the least: And that the presentmentes or inditementes hereafter to be made, be taken within one yere nexte after the sayde offences therin contemed, be or

shall be committed or doone: And that all accusations concernynge any of the offences aforesayde, made or to be made in anye other fourme then as is afore mencioned in this present acte, shall be voyde in the lawe to any other respecte or purpose, but onely as an euidence to be proued and declared to the inquestes of inquerye and deliuery before the saide Justices, as is afore saide, And that no person accused of or vpon anye of the offences specified in the said former acte, shalbe attached arrested or committed to warde for the same, or any of them, before he be therof indyted, as is aforesaid, onlesse it be by vertue and auctoritie of one sufficient and lawful warrant or precepte from one of the kynges maiesties honourable counsaile, or from two of the iustices or commissioners aforesaid, wherof one of them to be a lay person, any thyng conteyned in the said former statute not withstandynge.

¶ And be it also enacted by auctoritie of this present parlyament, that no person or personnes shall be from henceforth accused indited committed to pryson molested or put to answere, to for or vpon any accusation presentment or inditement hereafter to be made or founde by vertue of the sayde former statute, concernynge the said .vi. articles, onlesse he or they be therof accused or indited within one yere nexte after his or theyr said offence or offences supposed to be committed or done, any thing in the said former act or in this acte to the contrary not withstandyng.

¶ Prouided alway and be it enacted by the auctoritie aforesaid, that if any person or persons shall at any tyme hereafter heare any preacher or reader, being auctorised to preache or reade, speake or declare any worde or wordes supposed to be contrary to any of the said articles conteyned in the said former statute, in his or their sermon or reading at any place and time accustomed for preachyng or readyng, and do not therof accuse the said preacher or reader before one of the saide Justices within forty dayes nexte after his sayd wordes so spoken, or els that the saide preacher or reader be therof indited within the saide tyme of .xl. dayes, after his or their said preaching or reading: then the saide preachers or readers and euery of them shall be of euery suche accusation and offence clerely acquited and discharged. Except the same accuser or accusers, do shewe alledge and proue by two sufficient witnesses before the said Justices or two of them, sufficient cause why he or they dyd not make the said accusatiõs within the said tyme of forty dayes, as is afore limitted.

¶ Prouided also that this acte or any thynge therin conteyned shall not extende to any inditement or presentment heretofore made by the othes of xii. men or mo, of any of the said offences conteyned or expressed in the sayd former acte, concernyng the sayd .vi. articles, but that the same inditementes or presentmentes so made, shall stande and abyde in theyr full strength and effecte, as if this acte had neuer be had nor made, any thyng in this act to the contrary not withstandynge.

¶ And to the intent that as well the inqueries of the presentmentes and

inditementes afore saide, as the trials of and vpon the same, shall proceede iustely and indifferently: Be it therfore enacted by the auctorite aforesaid, that the said Justices, before whome the saide inqueries presentmentes or inditementes shall be taken, shall frome hensforthe haue power and auctorite to alter and reforme all panels of inquiry, returned before theym by the shiriffe or other officers appoynted for the same, in lyke maner as Justices of the peace may do in their sessions vppon any other inquiries. And that also the partie accused presented or indited, as is afore sayde, vpon his arraignement or triall therof, shall and may haue all maner of chalenges, (paremptory chalenge onely excepte) as other persons arraigned for felony shal or may haue by the lawes of this realme, any clause or article in the said former acte to the contrary not withstandynge. And that then the parties being condemned of any the offences cõteyned or mencioned in the said former act of sixe articles, shal suffer all such imprisonementes losses and peynes of death, as they shulde or ought to haue done before the makynge of this present acte.

¶ And be it also further enacted by auctorite aforesaide, that the said former acte, concernynge the sayde syxe articles, and euery other act touchyng the same, and al articles clauses and sentences in them or any of them mencioned expressed or conteyned, nowe being in his or theyr force and effecte, other then such as by this present acte be altered qualified or reformed, shal stand and abyde in al his or theyr full strength effect and vertue, any thing in this present acte not withstandynge.

¶ Prouyded furthermore and be it enacted by the auctorite aforesayde, that if any person or persons, being arrayned or put to his or their triall, vpon any the offences cõteyned in the said former act concerning the sixe articles, stand muet, or wil not directly answere to the same offẽces, wherof he or they be indited as is aforesaid: that then euery such person and persons, so standing muet, or refusing directly to answere to the same inditemẽt, for his or theyr contumacy, shal haue iudgement to suffre lyke peines of death losses forfaitures and imprisonment, as if the same person or persons so indited, had ben therof founde guilty by verdit of. xii. men, any thinge in the said former acte, or in this present acte to the contrary not withstandyng.

¶ An acte concernyng the apparance of Iurours in Nisi prius. Cap. vi.

For as moche as the issues ioyned in euery action suite and demaunde betwene party and party at the cõmon lawe, are by the lawes of this realme, for the most parte tried & triable by the verdite of. xii. men, wherin is dayly sene great delaye, partly for lacke of apparance of the persons returned to trye such issues. The occasiõ wherof cõmeth by reason of maintenance imbracery sinister labont and corrupt demeanours, & partly by reson of the chalenges of the parties, to the iury or iurours so returned,

to the great costes charges and hynderance of the parties to the said actions suites and demandes, and to the great delay and hinderance of iustice. For reformacion wherof, and for the more expedition of iustice hereafter to be had in suche maner triall of issues: Be it enacted by the auctorite of this present parliament, that in euery case, where suche persons, as shulde passe vpon the triall of any issue ioyned in any of the kynges courtes of record, cõmonly holden at westm̃, ought by the lawe to dispend. xl. s. by the yere, of freehold for terme of lyfe: that the writtes of Venire fac. which from and after the fyrst day of Apryl next comming, shalbe awarded and directed for the impanellyng of suche persons as shall trye the same issue, shalbe in this fourme. Rex &c. Præcipimus &c. quod venire fac. coram. &c. xii. liberos et legales homines de visñ de B. quorum quilibet habeat quadraginta solidat terræ tenement. vel reddit. per annum ad minus, per quos rei veritas melius sciri poterit: Et qui nec. &c. And so forth the residue of the sayde writte after the auncient forme. And in euery case, where it is not requisite, that the persons that shal passe vpon the triall of any issue ioyned in any of the kinges courtes aforesayd, shal dispend. xl. s. by the yere of freehold: that than the writtes of Venire facias, that shalbe awarded after the said fyrst day of Aprill, shalbe made after the forme aforesaide: omyttyng this clause, Quorum quilibet habeat quadraginta solidat terræ ten. vel reddit. per annum ad minus. And that vpon euery such writte and writtes of Venire fac. that shall haue the said clause, Quorum quilibet. &c. the shirif or other minister or ministers, to whom ỹ making of the panel shall apperteine, shal not returne in any such panel any person, onles he may dispend. xl. s. by yere at the least, of estate of freehold out of auncien demene within the countie, where the issue is to be tried. And also shal returne in euery suche panel vpon the same Venire facias, sixe sufficient hundredours at the least, if there be so many hundredours within the said hundred where the Venewe lieth, vpon peyne to forfayte for euery person, being returned in any suche panell, that can not dispende. xl. s. by the yere, as is aforesaide. xx. s. And for euery hundredour, that shalbe omytted in suche returne of the number aforesayd. xx. s. And in euery writte of Venire facias, wherin the said clause, Quorum quilibet &c. shalbe omitted, the shiriffe or other minister or ministers, to whom the makinge of the panell shall appertayne, shall not returne in any such panell any person, onlesse he maye dispende some landes or tenementes of estate of freehold out of ancien demene, within the county where the issue is to be tried. And also shall returne in euery such panell vpon the same Venire facias, syx sufficient hundredours at the least, if there be so many hundredours within the said hundred where the Venewe lyeth, vpon lyke peyne as is aforesaide.

¶ And furthermore be it enacted by the auctorite aforesaid, that vpõ euery fyrst writte of Habeas corpora, or Distringas, with a Nisi prius, delyuered of record to the shiriffe or other minister or ministers, to whom the making of the returne shall appertayn, the sayd shiriffe and other mynister and ministers shall from and after the sayd first day of Apryl, returne in issues vpon euc-

pon euery person, impanelled and retourned vpon any suche writte, at the lest. v.s. And at the seconde wryt of Habeas corpora, or Distringas, with a Nisi prius, vpon euery person impanelled and returned, vpon any such wrut. x.s. at the least. And at the thirde wryt of Habeas corpora, or Distringas, with a Nisi prius, that shall be further awarded vpon euery person unpanelled and returned vpon any such wrut. xiii.s. iiii.d. And vpon euery wryt that shalbe further awarded to trye any suche issue, to double the issues last afore specifyed, untyll a full iury be sworne, or the proces otherwyse cessed or determined, vpon peyne to forfaite for euery returne to be made, contrary to the fourme aforesayd. v. poundes.

And for a more spedy tryal of issues to be tried by the verdit of. xii. men hereafter to be had, be it further enacted by the auctorite aforesayd, that in euery suche wrytte of Habeas corpora, or Distringas, with a Nisi prius, where a full iury shal not appere before the iustices of assises or Nisi prius, or els after apparance of a full iury, by chalenge of any of the parties, the iurye is like to remayne untaken for defaute of iurours: that then the same iustices vpon request made by the party playntife or demandant, shal haue auctorite, by vertu of this act to commaunde the shiriffe or other minister or ministers, to whom the makyng of the sayd returne shal appertain, to name and appoynt as often as nede shal require so many of such other hable persons of the sayd county than present at the sayd assises or Nisi prius, as shal make up a ful iury, whiche persons so to be named and impanelled by suche shiriffe or other minister or ministers, shall be added to the former panell, and theyr names annexed to the same. And that euery of the parties shall and may haue his or their chaleng to the iurours so named, added, and annexed to the sayd former panell by the sayd shiriffe or other minister or ministers, in such wyse as if they had ben impanelled vpon the Venire facias, awarded to trye the said issue. And that the sayd iustices shal and may procede to the tryall of euery such issue with those personnes that were before unpanelled and returned, and with those newly added and annexed to the sayde former panell by vertue of this acte, in suche wyse as they might or ought to haue done, if all the sayd iurours had bene retourned vpon the wrut of Venire facias, awarded to trye the sayde issue. And that all and euery suche triall had after the said fyrst day of Aprill, shall be as good and effectual in the lawe, to all intentes constructions and purposes, as if suche triall had ben hadde and tried by. xii. of the iurours, impanelled and returned vpon the wryt of Venire facias, awarded to try such issue. And in case such persons as the sayd shyriffe minister or ministers shal name and appoint, as is aforesaid, or any of them, after they shalbe called, be present and do not appere, or after his or their apparance, doue wilfully withdrawe him or them selues, from the presence of the court: that then such iustices shal & may set such fine vpō euery such iurour, making defaut, or wilfully withdrawing him selfe as is afore said, as they shal thinke good by their discretiō, the sayd fine to be leued in suche maner and fourme as issues forfeyted and lost by iurours for defaut

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theyr apparance at the common lawe, haue ben accustomed to be leuied.

¶ And be it further enacted by the auctoritie afore saide, that where any iury, that shalbe returned by the shiriffe or other minister or ministers, shal be made full by the commaundement of the saide iustices by vertue of this present acte, that yet neuertheleſſe such persons as were returned in the said panel by the shiriffe or other minister or ministers to try any such issue, that shal not appere, but make defaulte, shall lose the issues vpon them returned, in suche wise as thoughe the same iury had remayned for defaulte of iurours.

¶ Prouyded alwaye and be it enacted, that vpon a reasonable excuse for the defaulte of apparance of any iurour or iurours, sufficiently proued before the iustices of assise or Nisi prius, at the day of theyr apparance by the othes of two lawfull and honest witnesses, that the same iustices shal haue auctoritie by theyr discretions to discharge euery such iurour of euery such forfayture of issues vpon hym returned. And that the shiriffe and shiriffes or other minister or ministers, hauing commaundement by the sayd iustices to omit the returnyng of suche issues as is afore saide, vpon suche iurour or iurours, shalbe therin discharged of the penalties afore saide, for the non returnyng of the sayde issues, and that yet not withstandynge the sayd returne to be good and effectuall in the lawe, any lawe vsage or custome to the contrary not withstandyng.

¶ Prouided also & be it enacted by the auctoritie afore said, that if the said iustices, afore whom any such iury shulde appere in the county, where such issue is to be tried by vertue of a writ of Nisi pri⁹, do not come at the day & place appointed, but that the assise or Nisi prius for that tyme shalbe discontinued for not cõming of the sayde iustices, or for any other occasion, other then by default & lacke of iurours: that then euery one of the same iurours shalbe discharged for forfaiting of any issues vpõ him returned in the same writ. And the shiriffe or other minister or ministers shalbe likewise discharged of the penalties of this estatute for the non returning of such issues, as are before limited in this act, any article or sentence herein conteined to the contrary notwithstandyng.

¶ And be it also further enacted by the auctoritie afore saide, that if vpon any such writ of Habeas corpora or Distringas, with a Nisi prius, issues be retourned vpõ any hundredours iurour or iurours by the shiriffe or other minister or ministers, to whom the executiõ of the same writ or writtes shal appertayne, where as the same hundredours and iurours shall not be lawfully summoned warned or distrained in that behalfe: that then euery such shiriffe or other minister or ministers afore said, shall lose for euery such offence so committed, double so moch as the said issues returned vpon suche hundredours or iurours, not lawfully sũmoned warned or distrained, shall amoũt vnto: the moitie of al which forfaitures cõteined in this present act, other then the issues to be returned vpon the iurours as is afore said, shall be to the kyng our soueraigne lord, and the other halfe to him that wyll sue

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for the same by action of det byll playnt or informatiõ in any of the kynges competent courtes, in which no wager of lawe essoyne or protection shalbe allowed ne admitted. Sauing to all maner of persons and bodies politike and corporate, theyr heyres and successours, hauyng lawfull right title and interest to haue suche issues, to be before any such iustices of assise or Nisi prius, at any tyme or times hereafter lost and forfaited, all suche right title and interest, as they or any of them shuld or myght haue had to such issues to be lost and forfayted, as though this acte had neuer ben had or made.

¶ Prouided also that this acte nor any thynge therin conteyned, shall not extende to any citie or towne corporate, or to any shiriffe mynister or ministers in the same, for the returne of any inqueste or panell to be made and returned of persons inhabitynge in the sayd cities or townes corporate, but that they, and euery of them, shall and may returne suche persons in euery suche inquest or pancll, as before this tyme they myght and haue ben accustomed to do, and as this acte had neuer ben had or made: so that the same shyriffe minister or ministers returne vpon such persons as shall be impanelled, lyke issues as are before mencioned in this act, any thing in the same conteined to the contrary not withstanding. This act to endure to the ende of the nexte parliament.

¶ An acte for the repelyng of a certayne statute concernyng the bryngyng in of salt fyshe and stockfyshe. Cap. vii.

Where in the parlyament begun and holden at London, the iii. daye of Nouembre, in the. xxi. yere of the reigne of our most dread souereigne lord the kinges maiestie that now is, and from thens adiourned to Westminster, & there holden and contynued by diuers prorogations, vnto the dissolutiõ therof, amonges other it was enacted by the auctoritie of the same, that no maner of person or persons, of what estate degree or cõdition he or they shuld be, other then suche person or persons, as then were or herafter shalbe marchant venturers to Islande, for the takyng of fysh, or that be doggers otherwyse called doggermen, or such as nowe or hereafter shalbe fishermen, that actually labour for the taking of the same fysh in the east sea syde or in the east sea coste, shuld bye any of the kyndes of the saide fish, at or vpon the stone, or at the said east sea syde, or east sea costes, to sell the same fysh againe or any parte therof at any of the faire or faires called Sturbridge faire, saint Jues faire, or Ely faire. And that no maner of person or psons, other then the saide marchant venturers doggers or fyshermen, shuld frõ henceforth sel any saltfish stockfysh lynge haberden, lobfysh, or such other kinde of saltfish, at or within any of the saide fayre or fayres, wherof the kynde of the said fyshe is vsually wonte to be layde vpon lande at the sayd east sea syde. And also that no maner of person or persons, being owner or owners of any of the sayde shyp or shyppes, nor yet any mayster or maysters of the saide shippes, shulde at any tyme after the same, bye any

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dole or doles of any of the mariners of any of the said ship or shippes, called the mariners dole fish. And where it was also enacted ordeined and prouided by the same acte, that no maner of person or persons, shulde from thensforth be reputed and taken to be a marchant venturer, to take aduantage or benefit of the same acte, excepte his aduenture in the saide shyp or shyppes to Islande, shuld admount to the summe of. xx. li. without fraude or couine, as by the same acte more playnely it doth appere. Wens the makyng of which act the trade and aduenture to Islande hath moche decaied, not onely bycause that aduenture is so daungerous and chargeable to the marchant venturers, doggers called dogger men, and fysher men, beynge nowe compelled to make this aduenture at theyr onely charges, where before the makyng of the said acte a great number of persons of those parties and other places of this realme, did aduenture their marchãdise and wares with them, some to the value of. x. li. some. v. li. some more or lesse, as theyr habilitie did serue them, as they yet wold do, if the said acte were not to the contrary: But also for that the saide marchantes doggers and fysher men at theyr comyng home, after theyr long trauayle and charges, can haue no port sale nor redy vtterance of their fish. And where in tymes past aswel diuers marchantes of London and Couentre, as of other places within this realme, did repaire & come to the said venturers immediately after their coming home, and for redy money bought theyr fysh at the said cost syde, and caried the same fyshe to Ely fayre, Sturbridge fayre, saint Jues fayre, and other fayres and markettes, for the vniuersall prouision of this royalme: Now the saide venturers doggers and fyshermen be dryuen to trauayle and seke to the same markettes and fayres, for the sellyng of their fysh, and in the meane tyme to make shyftes for the paying the wages and charges of theyr mariners and seruauntes, and abide a great tyme before they can haue any returne to their aduantage of their aduenture, to their great werines: and lyke here after to be the vtter decaye of the Islande flete, if remedy therfore be not the soner prouyded.

¶ Be it therfore enacted by the kyng our soueraigne lord, the lordes spirituall and temporall, and the cõmons in this present parliament assembled, and by the auctorite of the same, that the saide acte be repeled, and all and euery thyng therin conteyned shall from henseforth be frustrate voyde and of none effecte, any thyng therin conteyned, or any other acte or actes heretofore made to the contrary in any wyse notwithstandynge.

¶ An acte concernyng coupers. Cap. viii.

Moste humble wyse shewen vnto your excellent hyghnes, your faithfull subiectes the coupers of your citi of London, that where in the parliament holden at London, the thyrde daye of Nouembre, in the. xxi. yere of your moost gracious reigne, and frõ thense adiourned to Westñ, and there by diuerse prorogations continued, vnyl the. xb. day

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of Januarye, in the. xviii. yere of your sayd noble reigne: it was in the said xviii. yere emonges other thynges stablysshed and enacted, that euery artificer of the crafte or mystery of coupers, that wil exercise or practise to make any vessels for bere or ale to be put to sale, shuld make the same vessels and euery of them, of good and seasonable woode: and that no suche artificer of coupers shal enhaūce the prises of barrelles kilderkins or firkins or other vessels in the sale of them, to any ale bruer or bere bruer or other person, but kepe the rate and prices, that is to say, for euery bere barrell. ix. d. for euery bere kylderkyn. v. d. and for euery bere fyrkyn. iii. d. the ale barrell. xvi. d. the ale kilderkyn. ix. d. and the ale fyrkyn. v. d. vpō peyne to forfeyte for euery barrell kylderkyn and fyrkyn, defectiue in the measure lymitted in the sayd acte, or enhaunced in the price in any poynte contrary to the said acte, iii. s. iiii. d. as by the same acte more plainely appereth. Synse which tyme the price of the wood or tymber, wherof suche vesselles ben made, is maruelously enhaunced, so that they are enforced to pay muche more therfore, then they were afore this tyme, and are likely to pay more, rather then lesse, if remedy therfore be not prouyded: to the great impouerisshyng and vtter vndoyng of the sayde coupers.

¶ In consideration wherof be it enacted by the kynge our soueraigne lorde, the lordes spirituall and temporall, and the commons in this present parlyament assembled, and by auctorite of the same, that euery artificer of the crafte or mystery of coupers, after the feaste of the natiuitie of sayncte Johñ baptiste nexte commyng, may lawfully take for euery bere barrel, by hym or by them to be solde. x. d. and for euery bere kylderkyn. vi. d. and not aboue, vpon peyne to forfaite for euery bere barrell enhaunced in price cōtrary to this acte. vi. s. viii. d. and for euery bere kylderkyn lykewyse enhaunced. iii. s. iiii. d.

¶ Item that euery bere bruer or other person, that shall after the feaste aboue said, ship or cary any bere into the parties of beyond the sea, other then within the kynges dominions, to thintent to sell the same bere so shypped and caried, shall fynde sufficient surety before the customers of the porte, where suche bere shalbe shypped, to bring in from the parties of beyond the sea afore said, as moche clapborde or other borde mete for bere barrelles or kylderkyns, as shall and may be mete to make as moch and lyke quantitie of vessell, as he shall so cary out with bere.

¶ And be it further enacted by the auctorite afore sayde, that no man beinge of the crafte or mystery of coupers, nor none other person inhabyting within the citie of London, or the suburbes of the same citie, or within. iii. miles compasse therof, shall cut minisshe or translate, or cause to be cut mynisshed or translated, to the hinderance of the bruers, any barrelles kylderkyns or fyrkyns, vppon peyne to lose for euery barrell so cut minisshed or translated. vi. s. viii. d. and euery kylderkyn so cut translated or minisshed. iii. s. iiii. d. and for euery fyrkyn. xx. d. except such persons as bruwe for their owne prouision, and not to sale, and suche persons as shall cut diminisshe or

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translate the saine vessellis for his own vse, and put it to any other vse then biere or ale.

¶ And also be it further enacted by thauctorite aforesaid, that at al times when soeuer any of the bere byuers shal requyre of the said wardeins of the coupers for the tyme being, any vessel, vpon reasonable warnyng gyuen to the by any of the bere byuers, that than the said wardeines shal prepare and deliuer from time to time, vpon euery such request, to the said bere byuars, as many barrels and kylderkins, as they nede and requyre to haue for the seruyng of the kynges louyng subiectes, vpon peyne to forfayte for euery tyme oimyttyng or neglectyng of the same .xl. s. the one halfe of whiche penalties aforesaid, to be to the kyng our souereigne lord, and the other halfe to hym that wyll sue for the same by byll, plaint, action, or information, in any of the kynges courtes, in the which action and suite the defendant shal not wage his lawe, or any essoyne or protection to be admytted.

¶ Prouyded alwaies, and be it enacted, that it shall be lefull to and for the artificers of the crafte and mystery of coupers and euery of them, to sell al such barrelles and vesselles as they shall make for bere to be caryed into Flaunders, at and for suche pryce and pryces, as they can get for the same, any thyng in this act, or the estatute made in the .xxiii. yere of your most noble reigne, to the contrary notwithstandynge.

¶ Prouided also and be it enacted, that as wel the former estatute, made in the .xxiij. yere aforesaid, as also suche recognisaunces as the sayde coupers stande bounden in, for performaunce of the same, shall stande and abyde of lyke force and effecte in all thynges, not mencioned and prouided for in this estatute, as though this estatute had neuer ben made.

¶ Prouided also and be it further enacted by the sayd auctorite, that no maner person or persons, at any tyme after the said feaste of the Natiuitie of saynt Johñ baptist, shal cary transporte or conuey any maner of bere out of this realme, into any parties, out of the kynges dominiõs, to be solde or exchanged for any other marchandise, in any greater larger or bygger vessell then onely a barrell, vpon peyne to loose and forfayte for euery suche vessell, beynge in quantitie aboue a barrell. vi. s. viii. d. the one moytie of the saide forfaiture to be to the kyng our souerayngne lorde, and the other moitie to hym or them that wyll sue for the same, to be recouered in maner and forme aboue expressed and declared, except suche bere as shalbe conueied ouer the sea to serue the kynge in his warres.

¶ Prouided furthermore, that this acte or any thyng therin conteyned or expressed, shall not extende or be taken to be hurtefull or prejudicial to any person or persons, for or concernyng the cariage conueyance or puttyng to sale of any vessell or vesselles, beinge more larger or bygger in quantitie or content, then a barel, or of any bere in the parties of Iseland, and Scotlande, eyther onely repayring for fysh, so that the said vessels and bere be not vttered vented exchanged or put to sale in any other place or countre, then onely in Iselande or Scotlande, any thynge conteyned in this acte to

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the contrary in any wyse notwithstandyng. This acte to endure to thende of the nexte parliament.

¶ An acte concernyng the partition of Wappyng marshe. Cap. ix.

WHERE in consideration of the greate costes and charges, that one Cornelis Wanderdelf, late of the towne of in Brabant, did expende and susteyne in and about the recouerying inclosyng and inning of the marshe, called sayncte Catherins marshe, otherwyse called Wappynge marshe, in the county of Midd, whiche marshe beinge longe tyme surrounded and ouerflowen with water, was recouered and inned by the sayde Cornelis: the kynges maiestie of his bountiful clemency and goodnes, and also all and euerye the owners, inheriters, and possessioners of the same marshe, were contented and agreed, that the same Cornelis, in recompence and satisfaction of his sayde costes and charges, and for his diligent and manyfolde peynes in and about the same susteyned, shoulde haue holde and enioye to hym hys heyres and assygnes, the moytie or halfe deale of the same marshe, by metes and boundes to be diuided: the which Cornelis afterwardes, afore any diuision therof made, bargayned and sold all that his part moytie and portion of the same marshe, for certaine summes of money by one Richarde Hill of London mercer to hym payde, to the same Richard and to his heyres. After the whiche bargayne and sale hadde and made, the moytie or halfedeale of the sayde marshe was by acte of parlyament, in the XXVII. yere of the reigne of our sayde souereigne lorde, made sure to the same Richard Hyl and his heires. And further by the same enacted, that the right honorable lorde, the duke of Norff. nowe lyuing, the late lord Wyndsore, the abbottes of Waltham and Stratford now deceassed, and syr John Danteley yet liuing, before the feast of al sainctes next ensuing, shuld make partition, separation, & diuision of the same marsh, as by the same act more plainly it may appere. But forasmoche as the sayd duke and the other persons aboue named were otherwise letted & busied in matters of more weight and greatter importance, there was no diuision nor limitation of the sayde marshe made: not only to the great hinderance and domages of the forsaide Richard Hille, and of all and euery other persons, beinge owners, inheryters tenantes and fermers of the same, but also to the no lyttel perylle and dangier of the losse drownynge and surrownynge of the same marshe, for lacke of the preseruation of the bankes, and the mayntenance and reparations of the dyches and scluses to the same belongyng, partly for that that the owners and inheritours of the same, knewe not what part or portion of the sayd marshe dyd or shuld to him or them belong or apperteyn, and partly for that that any one of theym wolde not disbourse any money to be employed, or to be bestowed vpon the reparations or thinges therunto requisite. For remedy and redresse wherof, and to the intent that euery persone hauyng interest in and to the said marshe, may haue and know his part and

porcion by metes and boundes, It may therfore be ordeined established and enacted, by auctoritie of this present parliament, that on this syde the feast of all sainctes nexte commyng, partition seuerance diuision and limytation of the said marshe, may be limytted appoynted assigned and set out to euery person nowe owner or inheritour of the same marshe, to and for his parts and portion in the same, by syr Edmunde Walsyngham, syr Arthur Darcy, syr Rychard Gresham, syr Wylliam Roche, and syr Rolland Hyll knightes, Robert Hennage squier, Henry Whitereason, Richarde Harry yonge gent, Rychard Geruais mercer, Nycolas Wildford marchant tailour, and Johñ Sturgeon haberdasher citezens of London, indifferētly named elected and chosen by the assentes wylles and agrementes of the owners inheritoures and possessioners of the sayd marshe, as they or tenne. ix. viii. vii. or. vi. of them shall iudge determine and awarde by their discretions to stande with equitie right and conscience. And that the moytie of the sayd Richarde Hill, shall be separate and seuered by it selfe from the partes and portions of all and syngular the residue owners and inheritours of the same marshe, whiche determination ordinance decree awarde limitation diuision and iudgement, by the same syr Edmunde, syr Arthur, and the residue afore named with them, by. x. ix. viii. vii. or. vi. of them, had made decreed awarded lymitted determined & adiudged, shal by auctoritie of this act, be put in writing, and shalbe taken demed & adiudged to be a good perfect effectual and fynal iudgement and determination to all intentes constructions and purposes, to bynde as well the sayd Richarde Hill, as al and euery other the owners inheritours, and possessioners of the same marshe, theyr heyres and successours and euery of them, to stande, obserue, fulfyl, and kepe the same award decree separation diuision partition iugement and limitation, thervppon and than had determined decreed limitted and adiudged.

¶ AND further be it enacted by the saide auctoritie, that the sayde syr Edmonde, syr Arthur, and the other persons with them aboue named. x. ix. viii. vii. or vi. of them, at all tymes on this syde the said feast of all saintes, shall haue power and auctoritie by vertue of this acte, to calle before them to accomptes and reckenynges, as well the sayd Richard Hylle, as all and euery other person and persons, whiche haue receiued the issues reuenues or profytes, rysen, and growen of the same marshe, sithens the innninge recouerye and shuttyng vp therof, and alsoo suche persones as haue bene at charges for the defence and maynteyning of the reparations of the walles scluses dyches and bankes of the same: and vpon the reckenynges and accomptes thereof deliberately viewed and hearde, to set suche order and determination, and shal also deduct allowe and awarde suche summes of money and other allowances in euery behalfe, as to them. x. ix. viii. vii. or. vi. of them by their discretions and wysedomes, shal seme and be thought to stand with equitie and conscience. The whiche order decree iudgement and determination by theym. x. ix. viii. vii. or. vi. of them put in writing by vertue of this acte, shall stande firme and stable, and for a full determinate order, decree.

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finall ende and perfecte iudgement, without appellation, contradiction, or other defence or suite hereafter concernyng the same, to be had prosecuted or made, in euery condition, and to all intentes constructions and purposes, as thoughe all and euery the sayde parties, inheritours, owners, and possessyoners of the sayde marshe, or of any parte thereof, were bounden by recognisance before the lorde Chancellour of Englande, to obserue, performe fulfyll and kepe the same or the lyke order decree separation awarde and iudgemeut. And that euery party, which by the same decree and iudgement, shalbe awarded and adiudged to haue any allowance or recompence concernyng the premisses, for none payment and contentation therof: shall and may haue his remedy by action therfore as the case shall require, at the common lawe, wheragaynst the defendant shall make no dilatory or forein plea, nor any wager of lawe, protection priuiledge, or essoyne to be admytted or allowed. Sauing to al and euery person and persons, bodies politike and corporate, theyr heyres and successours, and the heyres and successours of euery of them, other than the owners and inheritours of the sayde marshe, all suche right title and interest rentes annuities wayes commons liberties and other commodities, as they or any of them myght shoulde or ought to haue had, of in or to the said marsh, or any parcel therof before the making of this act, this present acte, or any thynge therein conteyned to the contrary in any wyse not withstandyng.

An acte concernyng the reparyng makyng and amendynge of the cundytes in London. Cap. x.

FOR as moche as it is very commodious necessary and profitable to al cities townes and inhabitations, to haue swete and holsome runnynge waters and freshe springes, to serue the same for their businesses and necessaries, and specially within greate townes and cyties, to be conueyed by cundytes and fountaynes, whervnto requireth abundance and copiositie, for the seruyng of the inhabitauntes of the same, wherof the citie of London hath ben before this tyme well furnished and abundantly serued, tyll that nowe of late, that eyther for fayntnes of the springes, or for the drynesse of the earth, the accustomed course of the waters, comming from the olde springes and auncient heades, are sore decayed dympnyshed and abated, and dayly more and more, be lyke to appeire and fayle, to the greate discōmodity & displesure both of the citezens & inhabitantes within the said city and suburbes therof, as to al other persons hauing recourse to the same to the great decay of ꝑ same citie, if spedy remedy the soner be not therin had foresene and prouided. FOR remedy wherof sir William Bowyer knight, nowe mayre of the sayd citie, intendinge and ponderinge the same necessity, moche wyllyng to helpe and relefe the sayde citie and suburbes with newe fountaines and freshe springes, for the commoditie of the kynges sayd subiectes, callyng to hym as well dyuers graue and expert persons of his bre-

therne and other of the comminaltie of the saide citie as other persones, in and aboute the conueyance of water well experimented, hathe not onelye by dyligent searche and exploration founde out dyuers greatte and plentyfull sprynges, at Hampstede heathe, Maribone, Hackeney, Muswelle hylle, and diuers places within fiue miles of the sarde citie, very mete propise and conuenient to be brought and conueyed to the same, but also hathe laboured studied and deuised the conueyance therof by cundytes, bautes, and pipes to the said citie, and otherwyse, to his great trauayle, labour and peyne, and also to the great charges and costes of the citizens of the sayde citie: whiche good and profitable pourpose can not sort to conclusion, nor take good effecte, without the ayde and consent of the kynges maiestie, and of this high courte of parliament. Wherfore may it please the kinges maiestie, with the assent of the lordes spirituall and temporall, and of the commons in this present parliament assembled, and by thauctority of the same, to establyshe and enacte, that it shall be laufull to the mayre and comminaltie of the sayd citie of London for the tyme beinge, and to theyr successours assignes and seruauntes, at all and euery time and times hereafter, to enter into the groundes and possessions, as well of our sayde soueraygne lorde the kynge, his heires and successours, as of euery other person and persons, bodies polityke and corporate, where they shall fynde or knowe any suche springes to be, or may be founde for the intent abouesayd, so that it be not into theyr houses gardeines orchiardes, or places inclosed with stone bricke or mudwalles, and there to digge puttes trenches & diches, and to erect heades, lay pipes and make baultes, and to do al and euery such thinges in the same places and groundes whiche shall be mete propise and necessary onely for the conueyance of the sayde water and springes to the citye, and the suburbes of the same, and also to haue free ingresse egresse and regresse in to all suche places, where suche heades pipes or baultes shall be erected layde or made, to viewe and see from tyme to tyme the sayd heades, pipes, cundytalles, and baultes, and theym to amende repaire translate, and to do all thynges necessary and conuenient, as well for the fyndynge of newe springes, as for the conueyance of any water or springes nowe founde or hereafter to be founde, to the citie and suburbes aforesayde, without interruption lette or impediment of the owners of the grounde, their lessees assignees or ministers or any other person.

¶ And further be it enacted by the sayde auctority, that the sayde mayre, and his successours and euery of them, for the diggyng and breking of any suche soyle or grounde, in any place or places for the intent and purpose aforesaide, shall within the space of one moneth next after any suche grounde shall be broken by the ministers or workmen of the sayd mayre or his successours or their assignes, for the intentes and purposes aforesayde, satisfye, content, and pay vnto the owners or possessioners of the said soil or ground so broken or dygged, as moche money for the same digging and breakyng, as shall be adiudged and taxed by the determination and iudgement of thre

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or foure indyfferent men, to be assigned by the lorde Chauncellour of Englande for the time being, by vertue of the kinges commission from tyme to tyme to them dyrected at the costes of the sayd mayre and comminaltie, and that to be vsed for euermore hereafter. And that all suche summes as after the sayde tyme shall be taxed by the sayde thre or foure men, by vertue of the sayd commyssion, for satisfaction of any suche breakynge or defacyng of the grounde, shall be payed and satisfied to the possessioner or possessioners, owner or owners, of the sayd groundes, or to theyr minister assignes or officers by the sayd mayre or his successours for the tyme being, within .x. dates nexte after the sayd taration or iudgement so made and adiudged, vppon peyne the sayde mayre or successours, soo denying or refusynge the payment therof, for euery suche offence, to forfeyte. xiii. s. iiij. d. ouer and aboue the summe so to be assessed, the one halfe of whiche forfayture to be to the kynge our soueraigne lord, his heyres and successours, and the other moity to the partie grieued that wyll sue for the same in any of the kynges courtes of recorde, by action of det byl playnt information or otherwise, in whiche action byll or playnt no wager of lawe protection or essoen shall ly. And neuertheless the party, whose grounde hereafter shal be so broken or digged, for non payment of all suche summes of money as by the saide thre or foure men for the tyme beyng shall be taxed and adiudged, shall haue an action of det agaynst the said mayre or his successours, by whose commandement any such grounde shall be so broken, in any of the kynges courtes of recorde, for the recouery of the same det so taxed, in whiche action no wager of lawe protection nor essoen shall lye. And if it shall happen that the sayde thre or foure men so named by the sayde lorde Chauncellour, in fourme aforesayde, doo not, nor shall not agree in makynge any suche taration for any dyggynge trenchynge or breakyng of suche ground within the sayde tyme to them ymitted, or that the sayde mayre or his successours for the tyme beyng do not offer or tender to the party so greued a resonable amendes and satisfaction for the breakynge dyggyng or trenchynge his or theyr sayde grounde: that than the partye or partyes soo greued, and whose lande or soyll shall be so hereafter subuerted and broken, shall haue his lawfull remedy agaynst the saide mayre and his successours, by whose commandement any suche soyl or grounde shall be for the purpose aforesayde dygged or broken, by action of trespasse, and to recouer domages for the same, any thing in this present acte conteyned to the contrary notwithstandyng.

¶ Prouided alwayes and be it enacted by the auctoritie aforesayd, that if the sayd mayre his successours officers ministers or workmen, shal be interrupted molested or prohibited at any time hereafter, to dyg and trenche any groundes for the intentes abouesayd, or for the laying of pipes, makyng of heades bautes or fountaynes, concernynge the conueyaunce of water and springes to the sayd citie and suburbes, or for the serche repayrynge or amendment of the defautes of the same, or for the conueyance of any newe springes or water or other thynges requisite and necessary to be had made

or done at any tyme or times hereafter concernyng the premisses or any of them, by any owner lessee minister officer or other person what so euer he be, than euery suche person owner, possessour or personnes, so molestyng resystyng or letting the said mayre and his successours, or his or they⁊ officers ministers or workmen, contrary to the true meaning of this act, shal forfeit for euery suche offence. xl. s. sterlynges, the one halfe therof to be to the kyng our soueraygne lorde, and the other moytie to the mayre and comminaltye of the citie of London, and they⁊ successours, and the same to be recouered by action or plaint of det, in any of the kynges courtes, in the which no protection essoen nor wager of lawe to be admitted or allowed.

¶ Prouided also and be it enacted, that it shall not be lawfull to the sayde mayre nor comminaltie nor to they⁊ successours or ministers, to take awaye any water or spryng, nowe brought or hereafter shal be brought or conueied by pipes or trenches to the mansion of any person or persons for the necessary vse of they⁊ housholde, nor that any person or persons, by any way disceit meane or other crafty conueyance, shall vndermine minisshe withdrawe or abate any sprynge or springes founde or hereafter to be founde, nowe brought or conueied, or at any time hereafter to be conueied fet and brought to the said citie, wherby the water shal be minished stopped abated or otherwyse altered from his due course and conueyance, vpon peyne to forfayte to the party greued treble damages, the same to be recouered against the party offendyng, by action or playnt of det in any of the kynges courtes, in the whiche no protection essoen nor wager of lawe to be allowed.

¶ Prouyded alway and be it enacted by the auctoritie aforesayd, that this acte, nor any thyng therin conteyned, shall extend to geue any libertie or auctoritie to the sayd maire and comminaltie, or to any of they⁊ successours, to enter or dyg in any of the kynges grounde⁊, for or concerninge the conueyeng of any water in or to the sayde citie, without the kynges licence therin fyrste had and obteyned, any thynge in this acte conteyned to the contrary notwithstandyng.

¶ Prouided alway, and be it enacted by the auctoritie aforesayd, that if the sayd mayre and comminaltie of the citie of London, or they⁊ successours, at any tyme hereafter do fetch and conuey any water from any spryng or springes, within the sayd heath called Hampstede heth, vnto the sayde citie, and there erecte and make heades and vautes for the conueyaunce of the same water, that than the saide mayre and comminaltie & they⁊ successours, shal for euer yelde beare and pay yerely vnto the bysshop of westm, for the tyme being, and to his successours, at the feast of saint Michaell the archaungel, one pounde of pepper, in and for the acknoledgyng hym and them for the lordes and very owners of the sayd heath. And that for the sure payement therof vnto the sayd bysshop for the tyme beinge, and to his successours, the sayd mayre and cōminaltie for the time beinge, shall within thre monethes next after the erection and makyng of any suche heades and vautes vppon the said heath, make or cause to be made to the sayd bysshop for the tyme be-

ing, and his ſucceſſours, a ſufficient graunt in wryting vnder theyr cõmon ſeale with clauſe of diſtreſſe, within any their landes or tenementes within the ſayd city of London, whan and as often as it ſhal happen or fortune the ſayd pounde of pepper at any time after the grant thereof to be behynde vnpaied by the ſpace of .x. daies after the ſayd feaſt aboue limitted for the yerely payment therof, and it be lawfully aſked or demanded by the ſaid biſhop, or his ſucceſſours, or his or theyr aſſygnes, of the ſayd maire and his ſucceſſours, vpon any court day within the Guilde hal, this preſent act of parliament, or any thyng therin conteined to the contrary not withſtandyng.

¶ Prouyded alſo and be it further enacted by auctoritie aforeſaid, that the ſayd mayre and comminaltie or theyr ſucceſſours, ſhall not at any time hereafter medle with the ſpringe at the foote of the hyll of the ſayde heath called Hampſtede heth, nowe cloſed in with bricke for the eaſe cõmoditie and neceſſary vſe of the inhabitantes of the towne of Hampſted, nor do cauſe or procure to be done any thynge, acte or actes, to the impayryng hurte or diminyſhyng of the water of the ſame ſpring, at any tyme hereafter, this act or any thyng therin conteyned to the contrary not withſtandyng. And alſo it ſhall and may be lawfull to the ſayd byſhop and his ſucceſſours, to dygge fynde and conuey, or cauſe to be dygged founde and conueyed from any ſpryng or ſprynges in any grounde or groundes on the lefte ſyde of the hyghe waye, ledyng from the towne of Hamſtede aforeſayd towardes Hendon to the mauour place of Hampſtede aforeſaid, water ſufficient for the vſe and commoditie of the ſame manour place, the ſayd acte or any thyng therin conteined to the contrary notwithſtandyng.

¶ An acte for the due payment of the fees and wages of knyghtes and burgeſſes for the parliament in Wales Cap. xi.

WHere the knightes of all and euery ſhyre of this realme of Englande and Wales, and the burgeſſes of all cities townes and boroughes of the ſame, be named elected and choſen for theyr aſſembly in the kynges hygh courte of parlyament, as by auncient laudable lawes and cuſtomes of this realme, hath ben vſed and accuſtomed, at and by the kynges maieſties high commaundement, vnto the whiche knightes and burgeſſes theyr fees and wages be aſſigned certainly, that is to ſay, to euery knyght by the day .iiii.s. and to euery citezen burgeſſe, by the day .ii.s. or more, as heretofore hath ben accuſtomed, accomptyng for the ſame ſo many dayes, as the ſayde hygh court of parliament endureth, with addition ther vnto of ſo many dayes as euery ſuche knyght and burgeſſe may reaſonably iourney and reſort from theyr habitacions or dwellyng places, to the ſayd hygh court of parlyament, and from the ſaid hygh court to retourne to theyr habitacions or dwellynge places, togyther with theyr coſtes of wrytes and other ordynary fees and charges: Which wages fees and charges at al tymes ought

to be

to be leuied and collected by the shyriffes, and by the mayres baylliffes and other head officers, of and in cities boroughes and townes aforesaid, wherin some of the sayd shiriffes mayres & baillifes, and other head officers of and in cities boroughes and townes aforesayd, wherin some of the said shiriffes mayres and baylyffes, and other head officers, haue ben negligente and laches, not indeuouryng them selues in accomplyshemente of theyr dueties in collection and payment of the same in due fourme, accordynge to iustyce, to the great hurt iniury and delay of the kynges said subiectes. Be it therfore enacted by the auctoritie of this present parliament, that the shiriffes for the time beyng, of euery of the .xii. shyres in Wales, and in the county of Monmouth, from the begynning of this present parliament, shal haue ful power and auctoritie, by force of this acte, to gather and leuy, or cause to be gathered and leuied, the sayd knightes fees and wages of the inhabitantes of the sayd .xii. shires, and of the sayd county of Monmouth, whiche ought to pay the same: and the same so gathered, shall pay or cause to be payed to euery suche knyght or knightes, or to his or theyr assignes within the terme of two monethes after that any suche knight or knightes shall deliuer or cause to be deliuered the kinges writ De solutione feodi militis parliament. to any suche shiriffe, and euery suche shiriffe, makyng defaut of paiment of the sayde fees or wages, in maner and fourme as is aforesayd, to lose and forfayte .xx. li. wherof the one moitie to be to the kynges vse, and the other to his or theyr vse that wyll sue for the same, in any of the kynges courtes of record, by informacion byll or playnt or otherwise, afore any of the kinges officers: wherin none essoen protection nor wager of lawe shalbe admitted. And if it shall happen any shyryffe, in any of the sayde .xii. shires and countye of Monmouth, to make defaut of payment of the sayde wages or fees, by a lenger terme than two monethes: than euerye suche shyryffe to forfaite for euery moneth that he or they shall make defaulte, twenty poundes, to be forfayted and leuyed in maner and fourme as is aforesayde. And that euery Mayre and baylliffes & other heade officers of cities boroughes and townes, in euery the sayde .xii. shires, and in the sayd county of Monmouth, within lyke terme and space of two monethes after the receyte of the kynges maiesties writ De solutione feod. burgent. parliam̃, lyke as is before mentioned for gathering or leuyng of the knightes fees, shall leuy gather and pay the wages and fees to theyr burgesses, in lyke maner and fourme, as is aforesayd, and in and vnder lyke peine & forfaytures, as before mentioned, to be leuied of the goodes and cattalles of euery such mayre baillife and other heade officer, to whom the kynges sayde writ shall be directed for the leuieng of suche fees, makyng defaut of payment of the sayde fees and wages to the burgesses, in maner and fourme as is aforesayde.

¶ AND BE IT further enacted by the auctoritie aforesayde, for as muche as the inhabitantes of al cities and boroughes in euery the sayd .xii. shyres within Wales, and in the sayd county of Monmouth, not finding burgesses for the parliament them selues, must beare and pay the burgesses wages

ges within the shyre townes, of and in euery the sayd.xii. shyres in Wales, and in the sayd countie of Monmouth: that from the beginning of the said parliament, the burgesses of all and euery of the said cities boroughes and townes, whiche be and shalbe contributory to the paiment of the burgesses wages, of the sayde shire townes, shalbe lefully admonished, by proclamacion or otherwyse, by the mayres baylyffes or other hed officers of the sayde townes, or by one of them, to come and to giue their electiõs for the electing of the sayde burgesses, at suche tyme and place lefful and reasonable, as shal be assigned for the same entent by the said maires bailiffes and other hed officers of the said shire townes, or by one of them, in which elections the burgesses shal haue like voyce and auctoritie, to electe name and chose the burgesses of euery the sayde shyre townes, lyke and in suche maner as the burgesses of the sayde shyre townes haue or vse.

¶ Prouided alwayes that two iustices of peace in euery the shires in Wales, and in the said countie of Monmouth, by force of this acte shal haue ful power and auctoritie, indifferently to lot and tax euery citie borough and towne within the shires in Wales, wherin they do inhabite, and in the sayd county of Monmouth, for the portions and rates that euery the sayd cities and boroughes shall beare and pay towardes the sayde burgesses, within the said shire townes of euery of the said shires in Wales, and the county of Monmouth, which rates so rated & taxed in grosse by the sayd two iustyces of peace, as is aforesayd, shalbe againe rated and taxed on the inhabitantes of euery the sayde cities and boroughes, by, iiii, or, vi, discrete and substantiall burgesses of euery the sayde cities and boroughes in Wales, therunto named and assygned by the mayre baylyffes or other heade officers of the sayde cities townes and boroughes, for the tyme beinge, and therupon the mayre baylyffes and other head officers of euery suche citie borough and towne, to collecte and gather the same, and therof to make payment in maner and fourme as is aforesayde, to the burgesses of the parlyament for the tyme beyng, within lyke tyme, and vpon the lyke peynes and forfeytures as is aboue mencioned.

¶ An acte for the remission of the lone. Cap. xii.

THE KYNGES MOST humble, faithfull, louyng and obedient subiectes, the lordes spirituall and temporall, and the cõmons in this present parlyament assembled, prudently and louingly consyderyng and callyng to their remembraunces, not onely the innumerable benefites & goodnes, whiche they heretofore haue receyued had and enioyed by and frome his most royall maieslie, by the tranquillitie of peace, due and iust administration and execution of iustyce within this his realme of England, sithen the tyme of his assumption of his crowne estate and dignitie royal, to his great laude glory and honour, but also the inestimable costes charges and expences,

ces whiche his highnes neceſſarily and of fine force hathe bene coarted and compelled to ſuſteyne and ſuppoꝛt, chiefly foꝛ the ſurette and comfoꝛt of his gracis ſubiectes, as by ſundꝛy wayes and meanes, and vpon iuſt and reaſonable occaſions and groundes, in and foꝛ the maintenance of his warres, inuaſion and defence of his ennemies, repꝛeſſyng and ſubduing rebels and traytours: Concludynges of peace, amitie, and concoꝛde in all chꝛiſten regions, reformyng and extinctyng many damnable and dangerous ſciſmes, opinions, and argumentes, ſpꝛonge and ariſen in the churche of England, and alſo of Ireland, wherof he is in earth ſupꝛeme heade, whoſe moſte godly and honourable actes, as well marciall, as other, his moſte politike and pꝛudent affaires and enterpꝛiſes, haue not only redounded to his immoꝛtall fame and honour, but alſo to the great quiet commodity and pꝛofite of this realme of Englande, in and about the whiche, his maieſtie (as it is not vnknowen) hathe taken intollerable peynes trauaile ſtudy and labour, in his owne moſt royall perſone, and expoſed and diſpended moche notable treſure and ineſtimable ſubſtance, as well ryſen and growen by any maner contribution made to his maieſtie by his ſaid louing ſubiectes, as alſo of his own perely reuenues of his crowne, whiche els his highnes might haue reſerued and kepte to his owne vſe and commoditie. And not withſtanding that his maieſte, of his ineſtimable goodnes hathe of longe tyme lyke a charitable louyng and mooſte vertuous pꝛince, tendered truſted loued and fauoured Francice nowe the frenche kinge, and ſhewed vnto hym dyuers and ſundꝛy ineſtimable gratuities and amities, as well by redemyng him and his childꝛen out of captiuitie and thꝛaldome, as alſo relieuyng hym of his pouerty by diuers and ſundꝛy pꝛeſtes and loues of notable ſummes of money to him made, truſtyng therby to haue pꝛeſerued and contynued loue amytie peace and concoꝛde betweene the regions of Englande and France: Yet the ſame frenche kyng, nothyng regardynge his honour, othe, trouthe, pꝛomyſe, and fidelitie, made vnto his maieſtie, hath not only moſt ingratefully & wꝛongfully withdꝛawen from his ſaid maieſtie, the due rightfull and accuſtomed pencion, alwaps heretofoꝛe vſed (as of ryght) to be payde to his maieſtie, and this his realme, out of the realme of Fraunce: but alſo hath inferred and done vnto his maieſtie, and his louynge ſubiectes, many other ryghte great and intollerable diſpleſures, wꝛonges, iniuries, and damages: And foꝛ the mayntenaunce therof, hath confederated hym ſelfe with the greatte Turke, common ennempe to all chꝛiſtendome, pꝛetendyng therby to ſatisfye his owne ambicious mynde, and intendyng to putte vniuerſall trouble and diuiſion in all the monarchie of Chꝛyſtendome, and ſubdue the realme of England, to his power and ſubiection. And where alſo his maieſtie is iuſtely and laufully intitled vnto the crowne and realme of Scotland, and to whoſe highnes, as to theyꝛ naturall and ſoueraigne liege loꝛde, al the inhabitantes of the ſame, ought to beare due obedience and be ſubiectes: Yet neuertheles the ſame french king ceſſeth not daply to pꝛocure moue and ſtere the ſame Scottes, contrary to the duetie of theyꝛ allegiance, faith, and

pꝛomiſe,

promise, confirmed with great othes, not onely to rebel against his maiesty but also to make diuers and sundry incursies inuasions spoiles burnynges, murders wastinges and depopulations in this his realm of England, and to make open warre ayenst the kinges maiesty, this his realme of England, and other his gracis dominions. Wherfore the kynges most excellent maiestie, lyke a most godly vertuous and prudent prynce, intendyng as wel to mete with theyr sayd malicious pretensed purposes and enterpryses, as also to recouer his rightes of his auncient inheritances, is forced and can of his honour no lesse do, but determine hym selfe, by the helpe of almighty god, to put his owne royall persone, with the power of his realme and subiectes in armure, to the intent to leuie warre, and to prosecute his said ennemies with the sworde, to the extremitie of his power: trusting therby to reduce and bryng his sayde ennemies, to suche reasonable conditions of peace, that the same shall redounde to his gracis honour, and to the vtilitie profit commoditie and suretie of this his realme, and his louing subiectes of the same. For the mayntenance of whyche his maiestyes warres, are requyred inestimable summes of treasure, to be employed and defrayed about the same.

¶ VVHERFORE his most louing and obedient subiectes, considering that it is theyr office and most bounden duetie, to honour, ayde, maynteyne, and supporte his maiestye in all his iuste quarels, wythe theyr bodyes, landes, goodes and substaunce, myndyng to beare wyth hys hyghnes, in thys hys most gracious and godly enterpryse, to the alleuiation of parte of his great and inestimable charges, callynge to their remembraunce, that diuers and sundry of his louyng and obedient subiectes, sythin the first day of January, in the. xxxiii. yere of his mooste noble reygne, haue aduaunced vnto his maiestie, by waye of prest and lone, diuerse and sundry seuerall and particular summes of money. For the repayment wherof, sundry and seuerall wrytinges, vnder his maiesties priuy seale, were seuerally delyuered vnto his sayde louynge and obedient subiectes, to be repaide vnto them, at sundry dayes of payment, yet to come: whiche summes of money, as it is notoriously knowen, his highnes hath fully and holy conuerted and employed, to the behofe vse and commoditie of his louyng subiectes of this his realme, and for the common wealth and defence of the same.

¶ IN CONSIDERATION of all and syngular the premisses, his sayde humble faithfull louinge and obedient subiectes, of one minde consent and assent, and by auctoritie of this present parlyament, do for theym selues, and all the hole body of this realme, whome they do present, freely lyberally and absolutely gyue and graunt vnto the kynges highnes, by auctoritie of this present parliament, all and euery summe and summes of money, whiche to them or any of theym, is ought or myght be due by reason of any money, or any other thyng, to his grace auaunced or payde by waye of the sayde prest or lone: And vtterly frankely lyberally, most wyllyngly and beneuolently, for theim theyr heyres executours and successours, do remit release and quyet clayme vnto his highnes, his heires and successours for euer, all

uer, all and euery the same summes of money, and euery parcel therof, And all and syngular suites petitions and demaundes, whiche they or any of them, theyr heires successours and executours, or the heires executours or successours of any of them, haue had or may haue for the same or any parcel therof: Moste humbly and louyngly beseechyng his highnes, for the more cleare discharge of the same, that it may be ordeyned and enacted, by the kynge our souerayngne lorde, the lordes spirytuall and temporall, and the commons in this present parlyament assembled, and by auctoritie of the same, that all promysses bandes letters vnder the kynges pryuy seale, sygnet, sygne manuell, or great seale passed, and all other bondes or promisses, what so euer they be, had or made to any person or persons, spirituall or temporall, shyre citie borough wapentake townshyp hamlet byllage hundred, churche chathedral or collegiat, or to any guilde fraternitie or bodye corporate, felowshyp or company, or any other, hauing capacitie to take any band promyse or writynge especially or generally, iopntely or seuerally, touchinge or concernyng the sayde prest or lone, and euery of them, or the repayment of any summe or summes of money for the same, be from henseforth voyde and of none effecte.

¶ And it is further enacted by auctoritie abouesayd, that if any persone or persons, what so euer he or they be, whiche at any tyme after the sayd fyrste day of January, whiche was in the said .xxxiij. yere of the reigne of our now most gracious soueraine lord, hath paide aduanced or deliuered to the king our soueraigne lorde, or to any person or persons to his vse, any summe or summes of money, by way of prest or lone, as is abouesaid, and haue again optained of or from the kynges maiestie, the said summe or summes of money so aduaunced, prested, or lent to his highnes, or any parcell therof, or any other recompence what so euer, by bargayne, graunt, gyfte, sale, commaundement, assignement, repayment, by of or from his maiestie, or by any other what so euer meane: That than all and euery the sayde summe and summes of money, and euery parcell therof, soo aduaunced prested or lent and repayde or receyued by any maner of meane, as is abouesayd, or otherwyse recompenced, shall be repayde or satisfied vnto the kynges maiestie, or to the coferer of his most honourable householde, or to suche other person or persons, as by his maiestie shalbe therunto assigned or appointed, to the vse of his maiestie, by suche person or persons, that so aduaunced prested or lent any such summe or summes of money, or by the executours of such person or persons deceassed, hauing sufficient goodes of their testatours in his or theyr hande or handes, the, x i i i i, day of Febryuary, the, x x x v, yere of the reygne of our now most gratious and natural soueraigne liege lord, or of the heyre or heyres of the same person or persons, so deceassed, haynge landes tenementes or other hereditamentes, to hym or them so discended, in fee symple or fee tayle, from the same person or persons, that so aduaunced, prested, or lent any summe or summes of money, as is abouesayde, the .xiiij. day abouesayd, at the libertie and pleasure of his highnes, before the feast

of al

of all sayntes nexte comming, without any maner of contradiction, or farther delay: Any warrant bargayne couenante graunt agreemente assignement or other commaundemente heretofore made to the contrary not withstandyng: The same summes to be demanded & recouered by his maiestie in any of his courtes, by bil, action of det, information, or otherwise: In which no wager of lawe essoyne or protection, shalbe permitted suffred or allowed. ¶ And it is further enacted by the auctoritie abouesayde, that if any person or persons, which haue auanced prested or lente to the kinges maiestie, any summe or summes of money, as is abouesayde, haue bargayned and solde the sayd summe or summes of money, so auaunced, prested, or lent, and the det and dewty of the same to any person or persons, what so euer he or they be, and haue receyued any summe or summes of money, couenant, promyse, or other thing or thynges, in and for the recompence therof: That than all and euery suche bargayne and bargaynes, sale and sales, couenant or couenantes, promise and promises, shall be vtterly voyde and of none effecte. And that than all and euery person and persons, which so haue bargayned obteyned or bought any suche summe or summes of money, soo auaunced prested or lent, as is abouesayde, shall be repayed and restored to all and euery summe and summes of money, or other thynge or thynges, of what nature or qualytie so euer it be of, or by the person or persons, that so bargayned and solde the same, or of or by the executour or executours of suche person or persons, being daed, hauing goodes sufficient of his or their testatour in his or theyr hande or handes, the.xiiii. day abouesayd, or of or by the heyre or heyres of the sayd person or persons beynge deade, as is abouesaid, hauyng landes tenementes or other hereditamentes, to him or theym discended, in fee simple or in fee taile, the.xiiii.day abouesaid, by or from the sayde person or persons, that so made bargayne or sale as is abouesayde, at the lybertie and pleasure of the sayde person and persons, that so bargayned or bought the saide debte, duety, and money lent, or his or theyr executours or administatours as is abouesayd, whithout contradiction or delay: And for the recouery of the same, shal haue his or theyr remedie and recouery by action of det detinue or accompt, as the nature or qualitie of the thyng requireth, agaynste the witholder or witholders therof. In which action no wager of lawe essoyne or protection, shalbe permitted suffred or allowed.

¶ An acte that the demayn landes and tenementes in Walsingham, belongyng to the late priorye there, may be let by copy of courte rolle. Cap.xiii.

THE KYNGES imperiall maiestie, moste beningly calling to his gracious remembraunce, that his towne of littel Walsingham, otherwise called newe Walsingham, whyche heretofore, as well throughe the great and continuall trade of all maner of marchaundise in times paste, there vsed and practi-

ſed, as alſo by and thorough the populus concourſe and reſorte of his people from all partes of this realme in tymes paſte, within the ſayde towne frequented and continued, was growen and commen to be very populous welthy and beautifully buylded, is at this preſent by the great decay and withdrawynge of the ſayde trades of marchaundiſe there, and by dyuers other ſundry occaſions of late happened, lyke to fall to vtter ruyne, and to be barrayne deſolate and vnpeopled: myndyng of his accuſtomed goodnes and princely zeale, to ſuſteyne and mayntayne his ſayde towne of newe Walſingham, in no leſſe welth richeſſe beauty and proſperitie, than the ſame at any time heretofore hathe ben ſupported and mayntayned, is pleaſed and contented, that where his ſayde maieſtie is ſeaſed of the manours of Graunges, Colinghams, Bottes, Fennes and Marſhes, with the appurtenances in the county of Norff. whiche ſayde manours were parcell of the poſſeſſions of the late abbay or priory of Walſingham in the ſayd countie of Norff. that it be enacted by his hyghnes, with the aſſent of the lordes ſpirituall and temporall, and the commons in this preſent parlyamente aſſembled, and by auctority of the ſame, that all thoſe his graces houſes landes and tenementes, with the appurtenaunces, beyng parte or parcell of any of the demeanes of the ſayde manours of the Graunges, Colynghams, Bottes, Fennes, and Marſhes, with the appurtenances, or any of them, ſhall from henſeforth be vſed and taken to all intentes, conſtructions and purpoſes, as copy hold landes and tenementes, and ſhall and may from henſeforth be graunted by copy of court rolle, by the hyghe ſtewarde or vnderſteward of euery of the ſayd manours, or by theyr ſufficient deputy or deputies lawfully auctoriſed in that behalfe, to any perſon or perſons in fee ſymple for terme of lyfe or lyues, yeldyng reſeruyng doyng and paying ſuch rentes ſeruices fines heriottes and cuſtomes, as within the ſaid copies ſhall be ſpecified and mentioned, and for defaute of non doyng or paying of the rentes duetyes, and ſeruyces in any the ſame copies to be mentioned all and euery ſuch parte and parcel of the ſaid demeanes, wherof any ſuch copy or copies ſhal be made, in ſuche manour and fourme as is before reherſed, ſhall from the tyme of euery ſuche copy therof to be made, be and remaine in ſuche lyke iſſues and forfaitures to euery intent and purpoſe as other copyhold and cuſtomary landes and tenementes of euery ſuch the ſaid manours now do, wherof the ſayd demeane manſions houſes landes and tenementes ſo to be graunted by copy, ben parcell.

¶ AND be it further enacted by auctorpty aforeſayde, that all and euery the copies hereafter to be made of any part of the premiſſes, in maner and forme by copy of courte rolle, as is aboue ſpecified, ſhall from and after the ſame copy and copies ſo to be made and graunted, as is aforeſaid, be as good ſure benefitiall and effectuall in the lawe, to euery purpoſe and intent, to all and euery ſuche perſon and perſons, whiche ſoo ſhall happen to accept receyue and take the ſame, accordynge to the fourme tenour and effecte of euery the ſayde copies, as well agaynſt the kynges hyghnes, his heyres and

ſucceſſours

ſucceſſours, as agaynſt all and euery other perſon and perſons, and they? heyres, and the heyres of euery of them, that ſhal herafter happen to be lord or lordes of the ſayd manours and other the premiſſes or any of them, as if the ſame demeanes houſes landes and tenementes had ben alwayes accuſtomably vſed to be graunted or letten by coppy of courte rolle, any lawe cuſtome or vſage heretofore to the contrary hereof hadde made or vſed in any wyſe notwithſtanding. Sauing to al and euery perſon and perſons, and bodyes polityke, and they? heyres and ſucceſſours, and the heyres and ſucceſſours of euery of them, other then our ſayde ſoueraygne lorde the kynge, hys heyres and ſucceſſours, all ſuche right title and intereſt, rentes annuities and leaſes, and all other profites, whyche they or any of theym haue clayme ought may or myght haue had in or to the premiſſes, or to any parte or parcell therof, in ſuche lyke maner fourme and condition, to all intentes reſpectes conſtructions and purpoſes, as if this acte had neuer bene hadde ne made.

¶ An acte for the reſeruation of tenures vpon houſes with landes belonging to the ſame, vnder the clere yerely value of .xl s. Cap. xiii.

PLESETH it your mooſte excellent maieſtye, that where as in the parliament begun at weſtm, the .iii. day of Nouembre, in the .xxi. yere of your moſt gracious reigne, and by dyuers prorogations there continued, vntil the .iiii. day of Februarye, in the .xxvii. yere of your ſaid reigne, and than and there it was amongeſte other thynges enacted ordeyned and eſtabliſhed by auctorite of your hyghe courte of parlyament, that your ſayde maieſtie ſhal haue and enioy to your highnes, your heires & ſucceſſours for euer, all and ſingular ſuche monaſteries priorys and other religious houſes, of munkes chanons and nonnes, of what kyndes or diuerſities of habites rules or order ſo euer they were than called or named, which than had not in landes tenementes rentes tithes pentions or other hereditamentes aboue the clere yerely value of .CC. li. and all the ſites and circutes of all ſuche religious houſes, and al and ſingular the manours graunges meeſes landes tenementes reuertions rentes ſeruices tithes pentions aduouſons patronages rightes entres conditions and other hereditamentes appertaynyng and belongyng to euery ſuche monaſtery priory and other religious houſe, not haupng as is aforeſayd landes and tenementts aboue the ſayde clere yerely value of .CC. poundes, in as large and ample maner, as the abbottes, priours, abbeſſes, priorꝛeſſes, and other gouernours of ſuch monaſteries priories and other religious houſes than hadde or ought to haue had the ſame, in the right of their houſes. And that your ſaid highnes ſhuld haue to you and to your heyres, all and ſingular ſuche monaſteries abbeys and priories, whyche at any tyme within one yere next afore the makynge of the ſayde act, had ben graunted to your ſaid maieſtie by any abbot prior abbeſſe or priorꝛeſſe, vnder they? couent ſeales, or that otherwiſe had bene ſup-

prefſed or diſſolued, and all and ſingular the manours landes tenementes rentes ſeruices reuertions tithes pentions portions churches chapels aduouſons patronages rightes entrees conditions, and all other intereſtes and hereditamentes to the ſame monaſteries abbays or priories, or to any of them, than appertainyng or belongyng, to do and bſe therwith your ſaid hyghnes owne wyll. And furthermore by the ſayd act it was ordeyned and eſtabliſhed, that al and euery the premiſſes, ſhuld be in the order ſuruey and gouernance of your ſayd highnes court, than erected and called the court of the augmentations of the reuenues of your highnes crowne, except alway and reſerued ſuche and as many of the ſame monaſteries priories and houſes, with all their hereditamentes and poſſeſſions, which your ſaid highnes by your letters patentes vnder your great ſeale, ſhulde then declare and lymyte to continue and be in their eſſentiall eſtate, and to perſeuere in the body and corporation, as they were before the makynge of the ſayde acte. And where alſo it was then further enacted, by the auctorite aforeſayd, that vppon all and ſingular letters patentes than to be made vnder the great ſeale of Englande, of any manours landes tenementes and hereditamentes belonging or appertaynyng to any of the ſayd houſes compriſed in the ſaid act and committed to the ſuruey of the ſayd courte, to any perſon or perſons, or body politike, of any eſtate of inheritance, there ſhulde be reſerued to your ſaid hyghnes, your heyres and ſucceſſours, a tenure by knyghtes ſeruyce, in capite, and a yerely rent of the tenth part of the yerely value of the ſame landes, to be compriſed in euery ſuche letters patentes, accordyng to ſuche rate, as the ſame manours landes and tenementes gyuen, ſhulde be declared expreſſed to be of yerely value in the ſame letters patentes, any thing or clauſe conteyned in anye warraunt to the contrarye therof not withſtandynge, as more playnly at large it may appere, by the ſayde eſtatute. Sens the makyng wherof, a great numbre of your moſt bounden louyng and obedient ſubiectes, haue purchaſed and obteyned of your ſayde highnes, by your graces letters patentes, diuers and ſundry houſes landes tenementes and hereditamentes, parcel of the premyſſes, by ſmall quillettes parcels and portions accordinge to theyr powers habilities and ſubſtaunce towardes the ſuſtentation of them ſelues, theyr wyues and chyldren. And for as moche, as they be not hable to mayntayne the poore family of the yerely iſſues and profittes commyng and growing of the ſaid ſmall quillettes houſes and tenementes, paieng and doing the rentes & ſeruices reſerued for and vpon the ſame, in ſuche maner as of right appertaineth: It may therfore pleaſe your ſayd excellent mateſtie, of your moſt abundant grace, that in conſideration of the premiſſes, and for the eaſe and reliefe of your ſubiectes, that it maye be enacted ordeyned and eſtablyſhed by your highnes, with the aſſent of the lordes ſpiritual and temporall, and the commons in this preſent parliament aſſembled, and by auctorite of the ſame, that from and after the .xxiiii. day of Apryll, in the .xxxb. yere of your moſte noble reygne, that your ſayde hyghnes, your heyres or ſucceſſours, ſhall or may at your wyll and pleaſure,

vpon

vpon your letters patentes, of any manours landes tenementes reuertiõs rentes seruices tithes pentions portions aduousons patronages or other hereditamentes, not exceedyng the clere yerely value of .xl.s. which were belongyng to any of the sayde houses, comprysed in the sayd acte, wherby any estate of enheritance doth or shall passe from your sayde highnes, your heyres or successours (houses tenementes cotages and gardeins, whervnto no landes tenementes or hereditamentes do appertayne, only excepted) reserue vnto your sayde highnesse, your heyres and successours, eyther a tenure by knyghtes seruice in capite, or elles a tenure in socage or free burgage, and not in capite, at your free wyll and pleasure, with the yerely rent of the tenth parte of the sayde landes and tenementes to be comprysed in euery suche letters patentes, accordyng to suche rate and value, as the same manours landes and tenementes shall be expressed and rated to be of the yerely value in the same letters patentes, the sayd rent to be payde to the officers of your highnes said courte of the augmentations of the reuenues of your crowne, to your sayde highnes vse accordyng as other reuenues there be and shalbe payed by the auctoritie of the sayde acte. And that of houses tenementes cotages and gardeynes, whervnto no landes tenementes or hereditamentes do appertayne, not beynge any of the kinges princely houses, reserued and kepte by a keper therof to the kinges vse, whiche were belongyng to any of the sayde houses comprysed in the sayde acte, vpon euery the letters patentes of any the sayde houses tenementes cotages and gardeynes, to the whiche no landes do appertayne, wherby anye estate of inheritaunce doth or shall passe therin from your sayde highnes, your heyres or successours, to reserue vnto the same your highnes your heyres and successours, at your owne wyll and pleasure, eyther a tenure by knightes seruyce in capite, or els a tenure in socage, or free burgage, and not in capite, with the yerely rent of the tenth parte as is aforesayde: any lawe statute custome vsage or any other thing or thinges heretofore to the contrary therof in any wise not withstandyng.

¶ An acte for pauyng of Cambridge. Cap. xv.

FOR AS moche as the auncient borough and towne of Cambridge, well inhabited and replenished with people, bothe in the vniuersitie, where noble and many worshipful mens children be put to lerning and study, also with diuers and sundry artificers and other inhabitantes, is at this day very sore decayed in pauyng, and the hyghe stretes and lanes within the same towne exceedingly noyed with filth and myer, lyeng there in great heapes and brode plasshes, not onely noysome and combrous to the inhabitantes of the sayd borough, and such other the kinges subiectes as daily do pas by and throughe the same on foote: but also very perillous and tedious to all suche persons, as shal on horsebacke conuey or cary any thing with cartes by

tes by and thꝛough the same. Foꝛ the amendment and tefoꝛmation wherof, it may pleaſe the kynges highnes, with thaſſent of the loꝛdes ſpirituall and tempoꝛall, and the commons of this pꝛeſent parliament aſſembled, and by the auctoꝛitie of the ſame, that it maye be oꝛdeyned eſtabliſhed and enacted, that all and euery perſon and perſons, bodies polytike and coꝛpoꝛate, whiche now haue oꝛ at any tyme hereafter ſhall haue holde and enioy, any houſes landes tenementes gardeins pardes oꝛchyardes barnes ſtables cotages curtilages oꝛ other groundes oꝛ ſoyles, ſet lying and beyng within the ſayd towne, nexte adioyning oꝛ abuttyng vpon euery highe wayes, ſtretes oꝛ lanes within the ſame towne of Cambꝛidge, in fee ſimple, fee taile, frank almoigne by diuine ſeruice, foꝛ terme of lyfe, foꝛ terme of yeres, oꝛ the ward ſhip oꝛ cuſtody of any heire oꝛ heires, during the nonage of the ſame heire oꝛ heyꝛes, oꝛ els by execution, by writ of Elegit, oꝛ foꝛ oꝛ by eſtatute of the ſtaple, recogniſaunce oꝛ ſtature marchant, oꝛ otherwyſe in his owne right, oꝛ in the right of his wyfe, ſhal on this ſyde the feaſt of ſainct Peter the aduincula, commonly called Lammas, whiche ſhalbe in the yere of our loꝛd god, after the courſe and computation of the churche of Englande, M. D. XLV. well and ſufficiently paue oꝛ cauſe to be paued with pauyng ſtone, all and euery the highe waies and ſtretes, lying dyꝛectly befoꝛe theyꝛ ſayde houſes landes tenementes gardeines, pardes, oꝛchardes, barnes, ſtables, cotages, curtilages, groſides, oꝛ ſoiles, ſet lying and being in the high ſtretes & lanes in the ſayde towne hereafter ſpecifyed, that is to ſay, the highe ſtrete, called the bꝛidgeſtrete, from ſaint Peters churche at the caſtel ende directly as the ſame high ſtrete ledeth & ſtretcheth ouer the great bꝛidge, & ſo thꝛoughout the pꝛeachers ſtrete on both ſydes of the ſame ſtretes, to the lane betwirte ſainct Nicholas hoſtyll and the late dyſſolued place of the friers pꝛeachers, leadyng towardes Waldon: And alſo the highe ſtrete called the high ward ſtrete, from the ende of ſaint Johns lane ouer againſt the rounde churche, directly as the ſame high ſtrete leadeth and ſtretcheth from the ſame coꝛner, vnto the late hermitage of ſaynt Anne, on both the ſydes of the ſame ſtrete. The market place of the ſame towne, and all other common ſtretes and lanes within the ſame towne, that nowe be paued, oꝛ at any tyme heretofoꝛe hath ben paued, euery perſon and perſons as is aboueſayde, to paue ſuche parte and quantitie of the ſayd waies ſtretes and lanes, vnto the middes of the ſame wayes ſtretes and lanes, and in length as his oꝛ theyꝛ houſes tenementes groundes and ſoyles do lye and extende by and againſt the ſayde wayes ſtretes and lanes.

¶ AND furthermoꝛe be it enacted, that Jeſus lane, the blacke friers lane, with the waies leading vnto Barnwel, and ſo thꝛough out the ſame towne to Sturbꝛidge bꝛidge, Harleſtone lane, ſaynete Gyles lane, to the ende of Newnam lane, extendyng and leadyng from the bꝛidge againſt the milles, vnto the ende of the ſame lane, ouer againſte the queenes college, and the lane leadyng from ſaint Johns vnto the water ſyde, and all other common backe lanes belonging to the ſame towne, that nowe be not, noꝛ heretofoꝛe

haue

haue not be̅n paued with pauinge stones, and at this daye be very noyous and in great ruine and decaye, shalbe sufficiently made repaired and amended, with grauell and other thynges, by suche owners and possessioners of houses landes tenementes, gardeynes or̅cheyardes corages curtilages and other groundes & soyles as is afor̅sayd, set lieng and being in euery of the said lanes, befor̅e the said feast of saint Peter the aduincula, cōmonly called Lām̄as, aboue written, vpon peine of euery person charged or̅ chargeable, or̅ which ought to paue the said waies stretes and lanes by force of this act, to forfeyte for̅ euery parde square, not paued befor̅e the sayde feast of saynte Peter the aduincula, commonly called Lammas. xii. d. For̅ euery poole of the sayde lanes, aboue named, not made nor̅ amended with grauell, by the day and feast abouesayd, to forfeyte. ii. s. and that al & euery person and persons, nowe hauinge, or̅ whiche hereafter shall haue any landes tenementes gardeines or̅cheyardes cotages curtilages, or̅ other groundes or̅ soyles, in fee simple, fee tayle, frank almoigne by diuine seruice, for̅ terme of lyfe or̅ otherwise, as is abouesaide, adioyninge and lyinge to and nexte the sayde highe waies, or̅ highe stretes and lanes aboue named, or̅ any of them, they̅ heyres assignes and successours, after and from the sayde feaste, shall yerely suppor̅te make repaire and mayntayne, all and euery the sayde pauementes ouer against his or̅ their houses landes tenementes gardeines or̅cheyardes and other the premisses, as is afor̅esaide, from tyme to time, and at al times hereafter, as often and whan nede shall be, vpon peyne to forfeite for̅ euery parde square, not sufficiently paued amended or̅ repaired. vi. d. and for̅ euery poll of the lanes called Jesus lane, the black friers lane, Harlestones lane, saint Gyles lane, to the ende of Newnam lane, and the lane leadinge from saint Johns cheine to the waterside, and all other backe lanes belongynge to the same towne, not sufficiently maintayned repayred and kept with grauell. xii. d.

¶ And be it further enacted by the auctor̅itie afor̅esaid, that the chauncellour vicechancellour of the vniuersitie of Cambridge and their successours, or̅ his or̅ their deputie or̅ deputies, the mayre and baylyffes or̅ his or̅ they̅ deputie or̅ deputies, and their successours, with foure assistantes, as they both thinke mete and conuenient, two of the vniuersitie, and two of the towne of Cambridge for̅ the tyme being, shall haue at all tymes full power and auctor̅itie by vertue of this acte, twise in the yere, at Easter and Mychaelmas, or̅ within a moneth after the sayd feastes, to make enquiry, and to call afor̅e them twelue men, as well of scholer seruantes as other inhabitauntes indifferently chosen of euery ward within the town of Cambridge, and liberties thereof, and shall sweare theym to make presentement of all suche person and persons, that from tyme to tyme as nede shall require, do not paue suche they̅ part and portion of the sayde wayes stretes and lanes befor̅e specified, ouer ayenst they̅ houses landes tenementes grounds and soyles in the sayd towne, nor̅ amende all the other sayde lanes within the sayde towne and lyberties therof, with grauell, accordyng to the purpor̅te

and

and meanyng of this acte. And also that the chauncellour vicechauncelour or his or their deputie or deputies, the maire and baliffes, or his or their deputy or deputies, with foure assistances with them afore specified within the said vniuersitie and towne of Cambridge, for the tyme being, and their successours, shall haue full power and auctoritie, twise in the yere, to set suche fines and amerciamentes of all and singular person and persons, that hereafter be remisse and negligent in pauyng amendyng and repayring the said highe waies stretes and lanes or any of them, accordyng to this act, which be nowe paued & amended, or by force of this act, hereafter shalbe paued and amended, as shall be seme and thought by their discretions conuenient & necessary. And the same fines and amerciamentes forfaited and assessed of scolers and scolers seruantes and euery of them, accordyng to the composition betwyxt the vniuersitie and the towne, to be gathered by the bedyll, and implyed and conuerted to the vse of the vniuersitie. And that the chamberleyne of the sayde towne of Cambridge, or els suche an officer, as the maire than being, shall appoint, shall leuy and gather suche penalties fines and amerciamentes, forfaited and assessed of euery burgesse and forreyners for euer within the sayde towne, or the precincte of the same, offendynge contrary to this acte, by dystresse, or els by plaint or action, to be taken or commenced by the sayd chamberlayne, or els suche an officer, as the mayre shall appointe, before the maire and baliffes of the sayd towne: And the money commyng of the sayd penalties, to be implyed and conuerted to the vse of the sayd towne.

¶ And it is further enacted, that if the sayde Chancelour or vicechauncelour for the time being, or the maire for the time being, of the said vniuersitie and towne of Cambridge, at any time at the dates appointed by this act, or within one moneth after the said feast of saincte Peter the aduincula, commonly called Lammas, for the intent and purpose abouesayd, to be holden and kepte within the same towne, before the Chauncellour vicechauncellour, or his or theyr deputie or deputies, the maire or his deputie be negligent and remisse to charge by othe or othes such persons to fynd and present the sayde defaultes and negligences of all persons, offendyng contrary to the true purporte and meanyng of this act: than the sayd Chauncellour or vicechauncellour for the tyme beyng, or the mayre for the tyme beyng, at the sayde feastes of Easter and Michaelmas, or within a moneth after euery of them, so beyng negligent or remisse, or els after the sayde charge giuen, and presentment made by the sayde .xii. men, they theyr deputies or assignes be remisse and negligent in leuying and executyng of the same, for affection lucre or partialitie, and do forbeare to leuy the sayde amerciamentes fynes and penalties, so forfayted and founde, assessed wholy and truely of all person and persons within the sayde vniuersitie and towne of Cambridge, so offendyng contrary to this acte, in forbearyng and not doyng the same by the space of .vi. wekes after any one of the sayde feastes, to lose and forfayte for euery tyme so negligent. C. s. The one halfe to be to the vse of

the kinges

the kynges highnes, and the other halfe to the vse of the kynges subiectes, that wyl sue for the same, in any of the kynges courtes by byll action infor-mation or otherwyse, wherein no wager of the law, essoyne, or protection, shall lye for the defendaunt.

¶ AND further be it enacted, that no person or personnes, exercisyng the handcrafte or occupation of pauynge within the sayde towne, shall take aboue.i.d.q. for euery yarde square pauynge, or els to take for his dayes la-bour.vi.d. and fynde him selfe. And if any parson or parsons, vsyng and ex-ercisyng the sayde crafte of pauiour within the sayd towne, do or hereafter shall refuse or deny to worke for the wages aboue limitted, then he or they so refusynge, to incurre the penalties comprised in the statute of Winchester made for artificers and labourers, and in al thinges to be ordered and vsed, accordyng to the purport and true meanyng of the same.

¶ Prouyded alway, and be it also enacted, that if any the inhabitantes, or any other person or persons, be fermers or occupiers of any of the sayd hou-ses, landes, tenementes, & other groundes, within the sayd town, paying the olde and auncient customes to be payed yerely for the same, within.xx. yeres past be compelled to paue and repayre the streetes and hyghe wayes before their houses tenementes and other groundes and soiles, by force of this act: that then euery such inhabitantes, or other person fermer or occupier therof, shal defalke abate & retein in his owne handes, as moch of his rent or ferme due to his lessour, as he can proue to haue payed layde out and expended in and aboute the same pauynge and reparations, and the lessour for so moche mony, as the same shall amount vnto, to haue none action reentre or remedy for none payment of the same rent or ferme, onlesse it be otherwise agreed be-twene them, vpon the takyng of suche lease by indenture or otherwise.

An acte concerning the examynation of the Canon lawes by.xxxii. persons to be named by the kynges maiestie during his hyghnes lyfe. Cap.xvi.

WHERE in the parlyament holden at Westminster the.iiii. day of Febryuary, in the .xxvii. yere of the reigne of oure most dread soueraigne lorde kynge. HENRY. the .viii. it was enacted by the kynges hyghnes with the assent of the lordes spirituall and temporal, and the commons in the same parlyament assembled, and by the auctoryte of the same, that the kynges maiestie shuld haue full power and auctorite, as well afore and after the dissolution of the sayde parlyament at his libertie and pleasure, to name and assigne.xvi. persons of the clergy, and.xvi. lay persons of the tem-poralte. And if any of the sayd persons so named happened to decease, that than the kinges maiestie shuld haue power & auctoryty, to nominate and as-signe from tyme to tyme, other in theyr places, to supply the numbre of the sayde.xxxii. persons, to viewe serch and exampne the canons constytutions and ordinaunces prouinciall and synodall, mencioned and specified in the

sayde

ſaid acte. And that the ſayde.xxxii. perſons, ſo to be nominated and appoynted by his maieſtie at all times from thenſeforth for terme of thre yeres next after the diſſolution of the ſayde parlyament, ſhulde haue power and auctoritie to aſſemble them ſelues togyther from time to tyme, by the kinges commandement, for the due and perfecte execution of the ſayde acte, accordynge to the intentes & true meanyng of the ſame, as in the ſayd act more playnly appereth. Sins the making of whiche acte dyuers vrgent and great cauſes and matters haue occurred and happened, wherby the ſaid nomination and appointment of the ſayde.xxxii. perſons by the kynges hyghnes, haue bene omitted, wherby the ſayd ſerche viewe and examination of the ſayd canons conſtitutions ordinances prouincial and ſynodall, haue not bene had ne made according to the tenour purport and effecte of the ſame acte.

¶ Wherfore be it enacted by the kyng our ſouereigne lorde, with the aſſent of the lordes ſpirituall and temporall, and the commons in this preſent parliament aſſembled, and by auctoritie of the ſame, any acte tofore made to the contrary notwithſtandyng, that the kynges maieſtie ſhall from henſeforth from time to time, during his highnes life (whiche our lorde long preſerue) haue power auctoritie and lybertie, to nominate and aſſigne.xvi. perſons of the clergye, and.xvi. lay perſons of the temporaltie, to peruſe ouerſee and examine al maner of canons conſtitutions ordinaunces prouincial and ſynodall, and further to ſet in order and eſtablyſhe all ſuche lawes eccleſiaſticall as ſhall be thought by the kynges maieſtie and them conuenient to be vſed and ſet forth within his realme and dominions, in all ſpiritual courtes and conuentions. And if after ſuche nomination, any of the ſayd perſons ſo to be nominated, happen to deceaſſe, that then the kynges ſayde maieſtie ſhall haue ful power and auctoritie, to nominate and aſſigne from tyme to tyme, as is aforeſaid, other in their places, to ſupply the numbre of the ſaid. xxxii. perſons. And that the ſayd.xxxii. perſons ſo to be nominated by his maieſtie as is aforeſayde, at all tymes from henſeforth ſhall haue power and auctoritie to aſſemble them ſelues togyther from time to time by the kynges commaundement, for the perfecte eſtablyſhment of the ſayd lawes, accordynge to the due intent and true meanyng of this act, and of the prouiſions therin, any act to the contrary hereof notwithſtanding.

¶ And be it further enacted by thauctoritie aforeſayde, that tyll ſuche tyme as the kynges maieſtie, and the ſayde. xxxii. perſons haue accompliſhed and executed the effectes and contentes afore reherſed and mentioned, that ſuch canons conſtitutions ordinaunces ſinodal or prouincial or other eccleſiaſticall lawes or iuriſdictions ſpirituall, as be yet accuſtomed and vſed here in the churche of Englande, whyche neceſſaryly and conuenientely are requiſite to be putte in vre and execution for the tyme, not beynge repugnant contraryant or derogatorye to the lawes or ſtatutes of the realme, nor to the prerogatiues of the regal crowne of the ſame or any of them, ſhall be ocupied exerciſed and put in vre for the time within this or any other the kynges maieſties dominions. And that the miniſters and due executours

of them

of them, shall not incurre any domage or dangier for the due exercisynge of the forsayd lawes, soo that by no colour or pretence of them or any of them, the minister put in vre any thynge preiudiciall or in contrary of the regall power or lawes of the realme, any thing what so euer to the contrary of this present acte not withstandyng.

¶ And be it also enacted by the auctoritie aforesayd, that suche lawes and ordinances ecclesiasticall, as shal be deuised and made by the kinges maiestie and .xxxii. persons afore mencioned by vertue of this present acte, shall after they be made established and declared by the kynges maiesties proclamation vnder his highnes great seale, be onely taken reputed and vsed for the kynges lawes ecclesiasticall of this realme, any acte to the contrary of this statute not withstandyng.

¶ An acte for the preseruation of woodes. Cap. xvii.

THE KYNG our soueraigne lorde perceiuing and ryght well knowyng the great decay of timber and woodes vniuersally within this his realme of Englande, to be suche, that onelesse spedy remedy in that behalfe be prouyded, there is great and manifest likelihode of scarcitie and lacke, as well of tymber for buylding makyng repayryng and mainteynyng of houses and shippes, as also for fewel & fierwood, for the necessary relief of the hole comminaltie of this his said realme. Wherfore be it ordeined and enacted by his highnes, with the assent of the lordes spiritual & temporal, and the commons in this present parliament assembled, and by thauctoritie of the same that in and vpon al and singular seuerall woodes, commonly called copies woodes or vnderwoodes, whiche from or after the feaste of sainte Michell the archangell, whiche shall be in the yere of our lorde god, M, D, XLIIII, shall be felled at .xxiiii. yeres growyng or vnder, there shalbe lefte standing and vnfelde, for euery acre of woode that shalbe felled within the sayde copies .xii. standilles or stoyers of oke, and if there be not so many standilles or stoyers of oke, that then there shall be lefte so many of other kynde, that is to say, of elme, asshe, aspe, or beche, as shall make vp the sayde numbre of xii. standilles or stoyers, lykely to proue and to be tymber trees, the same standilles or stoyers to be of suche standilles or stoyers, as haue bene lefte there standing at any the fellyng of the same copies woodes or vnderwoodes in time past. And in case there be no suche standilles or stoyers there standyng whiche were there lefte at the laste fellyng of the same copies or vnderwoodes, than the same standilles or stoyers there to be lefte, shall be lefte at this nowe nexte fellyng of the sayde copies woodes and vnderwoodes, of suche most lykeliest okes: and yf there be not sufficient of okes, then of the moste likeliest elmes, asshe, aspe, or beche, to proue and to be tymber trees, as shall growe within any suche seuerall woodes copies or vnderwoodes, and that the same standilles or stoyers, so lefte, shalbe preserued and not felled or cut downe, tyll they and euery of them shall be of .x. ynches square within three

foote

foote of the ground, vpon peyne that euery owner of euery suche standilles and stozets, hauing an estate of inheritance, oz an estate foz terme of lyfe of freehold oz by copy of court rolle, oz foz yeres in the grounde oz soile, where the same standilles oz stozets shal growe, causyng oz commanding any such copies woodes oz vnderwoodes to be felled oz cutte downe, and not leauinge the sayd standilles oz stozets there standyng, in fourme afozesaide to lose and fozfeyte foz euery standill and stozet so not lefte standynge in the said copies woodes oz vnderwoodes .iii.s.iiii.d. And vpon peyne that euery owner, as is afozesayd, of any such coppies woodes oz vnderwoodes, causing oz commanding any of the said standilles oz stozets so left as is afoze-said, to be cut downe contrary to the fozme of this acte, to fozfett and lose foz euery of the said standilles oz stozets, which shalbe so cut downe .iii.s.iiii.d. the one halfe of whiche said fozfeiture to be to the king our soueraigne lozd, and the other halfe to be to the partie that wyl sue foz the same in any courte of recozde by action of det byl plaint oz infozmation, in the which action byll plaint and infozmation, no p̄otection wager of lawe noz essoine shall be admitted oz allowed.

¶ And be it further enacted by the auctozitie afozesayd, that all and syngular coppies and vndez woodes, whiche after the sayde feast of saint Michell tharchangell, shall happen to be felled oz cut downe, at the age of .xiiii. yeres groweth oz vnder and not bringe aboue the sayde age, from and after the twenty day of Apzyll, next after the felling therof, durynge the terme of .iiii. yeres than nexte insuinge, shall be sufficiently enclosed, oz the spzynges therof otherwyse saued and pzeserued from destruction by any maner of cattell oz beastes by him oz them, whiche then shal haue lawful interest and possession in the sayde woodes coppies oz vnderwoodes, as is befozesayd, vpon peyne of euery person oz persons so bounden to enclose fence saue oz pzeserue the sayde coppies oz vnderwoodes, to fozfeyte and lose foz euery roode therof, so not enclosed fenced saued oz pzeserued, durynge the sayd .iiii. yeres .iii.s.iiii.d. foz euery moneth that the same coppies oz vnderwoodes, shal happen to lye oz be vnclosed, not fenced saued oz pzeserued, as is afoze-sayd. And that al and singular coppies oz vnderwoodes, whiche after the sayd feast of saincte Michell the archangell, shall happen to be felled oz cut downe, being aboue the age of .xiiii. yeres groweth, and not aboue the age of .xxiiii. yeres grouth, from the .xx. day of Apzil next after the fellyng oz cut-tyng downe therof, durynge the terme of .vi. yeres next ensuyng the same .xx. day of Apzyll, shall be sufficiently inclosed, oz the spzynges therof otherwise saued and pzeserued from the distruction therof by any maner of cattell oz beastes, by and at the costes of suche, whiche then shall haue lawful interest and possession in the sayd woodes oz coppies as is befozesaid, vpon peyne of euery person oz persons so bounden to enclose fence saue oz pzeserue the sayd coppies oz vnderwoodes, as is afozesayd, to fozfeyt and lose foz euery roode, so not enclosed fenced saued oz pzeserued, durynge the sayd. vi. yeres, iii.s.iiii.d. foz euery moneth that the same coppies oz vnderwoodes shall

happen

happen to lye or be vncloſed, and not fenſed ſaued or preſerued as is afore ſayde.

¶ And be it further enacted by the auctoritie aforeſayde, that no perſon or perſons, after the ſaid feaſt of ſaynt Michel tharchaungell, ſhall cõuerte or tourne into paſture or tillage, any ſuch coppies or vnderwoodes, cõteining in quantitie two acres or aboue, whiche nowe be woode or vnderwoode, and put or reſerued to the vſe of encreaſe of woode or vnderwood, & being two furlong diſtant from the houſe of the owner therof, or from the houſe wherunto the ſaide woode doth lye appertayne or belonge, vpon peyne to forfayte and loſe for euery acre of wood, ſo to be conuerted or tourned from woode into paſture or tillage. xl. s.

¶ Prouided alway, that this act ſhal not extende to any coppies woodes or vnderwoodes, deſtroied or tourned into tillage or paſture, within. xx. yeres laſte paſt, although the more parte or any parte therof be nowe ouergrowen with buſſhes or vnderwoode.

¶ And be it further enacted by the auctoritie aforeſaid, that all and euery perſon and perſons, bodies politike and corporate, whiche haue or herafter ſhal haue any ſeuerall woodes or coppies growing and ſet with great trees beyng aboue the age of. xxiiii. yeres groweth, ſhal at the felling or wedyng therof, leaue ſtandyng within the precinct of the ſaid wood and coppies, for euery acre ſo felled. xii. trees of oke of the ſame ſuche great trees, if there be ſo many trees of oke there to be lefte, and for lacke of okes, then to leaue for euery acre ſo felled as many other trees of elme aſhe beeche or aſpe, as ſhall make the full number of. xii. of ſuche as ſhalbe there then growinge. the ſame trees there ſo lefte to, ſtande continue and to be preſerued by ſuche owner or owners as is aboueſaid, duryng the ſpace of. xx. yeres nexte after ſuche fellyng of the ſame woodes. And alſo ſhall from the. xx. day of Apryl, next after the felling therof, during the terme of. vii. yeres then next folowyng, ſufficiently encloſe them, or the ſpringes therof otherwiſe ſaue and preſerue from the deſtruction therof by any maner of cattell or beaſtes, vpon peyne that euery ſuche perſon or perſons, or bodies polytike or corporate, beyng owners of the ſaide great woodes, as is aforeſaid, to forfeyt and loſe for euery ſuch great tree of the ſayd number lackyng, and not lefte ſtandyng in the ſaid woode as is aboueſaid. vi. s. viii. d. And vpon peyne that euery owner of the ground or ſoile, whervpon ſuch great trees as is afore ſaid, ſhalbe lefte ſtandyng or growyng, cauſyng or cõmanding any of the ſaid great trees, there ſo left ſtandyng as is aforeſaid, to be cut downe contrary to the fourme of this acte, to forfeyte and loſe for euery of the ſame great trees ſo lefte, whiche ſhal be ſo cut downe as is aforeſayd. vi. s. viii. d. And vppon peyne alſo to loſe and forfeyte for euery roode of ſuche greate wood, ſo not encloſed fenſed ſaued or preſerued, durynge the ſaide ſpace of vii. yeres, for euery moneth. iii. s. iiii. d.

¶ Prouided alwaye that it ſhall be lawfull to euery owner or owners of any of the ſayde coppies woodes vnderwoodes ſtandilles or ſtorers, great

woodes & trees afore reherſed, to fel cut downe and take any of the ſame for buylding repayring encloſing and mayntenynge of houſes orchardes and gardens, and euery of them, and for paleyng rayling or encloſyng of parkes foreſtes chaces or other groundes, & for makynge or repayrynge of water worke dampes bridges ſludgates, making repayringe or amendynge of ſhippes & all other veſſels, and for all other thinges cõcernynge their owne vſes or affaires, in ſuch like maner & fourme as he or they ſhulde or myght lawfully haue done before the makynge of this acte, any thing in this preſent acte before mencioned to the contrary therof notwithſtandyng.

¶ And further be it enacted by the auctoritie aforeſaid, that it ſhall not be lawfull to any perſon or perſons, which after the ſaide feaſte of ſaynt Mychell, ſhall haue any woodes or vnderwoodes, wherin any other perſon or perſons iuſtly hath or haue vſed tyme out of mans remembraunce, to haue common of paſture, to fell or cut downe the ſaid woodes and vnderwoodes there growyng or beyng, or that ſhall growe or be in any ſuche woodes or vnderwoodes, except it be to his owne vſe and occupation, vntyl ſuch tyme as the fourth parte of ſuche woodes vnderwoodes or groundes, where the ſayde woodes nowe growe, or as moche as the fourthe parte of the ſayde geounde or ſoyle, wher vpon ſuche wood is or ſhalbe and growynge, ſhall amounte vnto, ſhall be by the lorde and owner for that tyme beynge, of the ſayd ground or ſoyle deuided ſet out meted bounded fenſed and encloſed in maner and fourme as by this acte hereafter ſhalbe declared ordeyned and prouided: that is to ſaye, the ſayd lorde that then ſhall be owner of the ſaid grounde or ſoyle, ſhal calle together the tenantes and inhabitantes beyng cõmoners in the ſaide ground or ſoyle, or the more parte of them, and vpon the aſſemble and metyng of the ſaid lord tenantes and inhabitantes, or the more parte of them, the ſaide lorde or owner, by the aſſent conſent and agreement of the ſaid tenantes and inhabitantes, or of the more parte of them, ſhall ſeuer deuyde ſet out mete and bound the fourth part of the ſaid woodes and vnderwoodes, or ſo moch therof, as ſhal amount to the full fourth parte therof. And if the ſayde lorde and the ſayde tenauntes and inhabitauntes, or the more parte of them, can not wyll not or do not aſſent conſent and agree, for or vpon the ſeuering deuiding ſetting out meting and bounDyng of the ſaid fourth parte of the ſaide woodes and vnderwoodes, or of as moch therof, as ſhal amount to the ful fourth part therof, that then two iuſtices of the peace, not being of the kyn aliance coũſayl or fee, of or to the ſaid lord or owner, being therunto appointed by the more number of the iuſtices of the peace of the ſhire, where the ſaid ground or ſoyle lyeth, in their open quarter ſeſſions, vpon requeſt and ſuite made vnto them by the lorde or owner, or by his or their lawfull deputie or deputies of the ſaide woodes vnderwoodes, groundes or ſoyle, ſhall haue full power and auctoritie to call before them, vpon ſuche peines and penalties, as the ſaid iuſtices ſhall limitte and appointe, ſuche. xii. of the ſayde comoners and inhabitauntes, nyghe vnto the ſame woodes or vnderwoodes, as by the diſcretion of the

ſayde

ſaid two iuſtices ſhalbe thought mete and conuenient. And vpon or after the apparaunce of the ſame lordes owners commoners and inhabitantes, or the more parte of them, the ſame iuſtices ſhall open and declare vnto the ſame lorde owner commoners and inhabitauntes, the cauſe of theyr aſſemble and apparaũce: and that done, ſhal by the aduiſe and aſſent of the ſaid lorde owners commoners and inhabitauntes, or theyr lawfull deputie or deputies, or of the more parte of them, effectually proceede to the ſeuerynge deuidynge meatynge and bounding of the ſaid fourth parte of the ſaid woodes and vnderwoodes, or of ſo moch therof, as ſhall amount to the fourth parte therof. And if the ſame iuſtices owners commoners and inhabitantes, or the more parte of them, can not or wyl not agre vpon the diuiſion boundynge or ſettynge out of the ſaid fourth parte therof, as is aforeſayd: that than the ſaid iuſtices ſhall haue full power and auctoritie by this act, to ſeuer deuyde and ſet out by mete and bounde, the fourth parte of the ſaid woodes and vnderwoodes, or ſo moch therof vnder the ſame fourth parte of the ſaid woodes and vnderwoodes, as ſhall by the diſcretions and wiſedomes of the ſaide iuſtices, be thought neceſſary and requiſite to limit and ſet out: And within the moneth nexte after ſuch ſeuerance and ſetting forth therof, the owner or owners, of the ſame woodes and vnderwoodes, in fourme aforeſaid declared, ſhall ſufficiently encloſe the ſame parte of the ſayde grounde or ſoile, ſo ſet forth as is aforeſaid: and after ſuch encloſure made, the ſaide owner of the ſaide woodes or vnderwoodes, maye at his libertie and pleaſure, kel cut downe and take the ſaide woodes & vnderwoodes being or that ſhalbe in or vpon the ſaid coppies woodes vnderwoodes groũd or ſoyle ſo ſet forthe, or any parte therof.

¶ Prouided alwaye and be it enacted by the auctoritie aforeſaide, that there ſhalbe left ſtandyng and vnfelled in and vpon the ſaid parte of euery the ſame woodes or vnderwoodes groũd or ſoyle, ſo ſeuered bounded & ſet out diſtinctly in maner and forme as is aforeſaide, at euery fellyng therof, ſuche and lyke nomber of ſtandils or ſtorers of yonge okes or other yonge trees of elme aſhe aſpe or beche, if it be coppies or vnderwoodes, which ſhal be ſo felled or cutte downe. And if the woodes, that ſhalbe felled, ſhalbe great trees or great woodes, then ſuche numbre ſhalbe lefte ſtandynge of great trees, in or vpon the ſaide parte to all intentes cõſtructions and purpoſes, and vpon like & the ſame penalties as is before limitted & appointed for not leauing reſeruing & preſeruing of ſtandils & ſtorers aboue appointed to be lefte ſtandyng in ſeuerall woodes and groũdes. And that the ſaid parte or parcell ſo ſeuered bounded and ſet out in maner and fourme aforeſaid, after euery fellyng or cutting downe of the coppies woodes or vnderwoodes for the time being in or vpon the ſame, by the auctoritie of this act, ſhalbe ſufficiently encloſed and fenced, and the encloſure therof ſufficiently and continually kepte made repaired preſerued and maynteyned by the ſpace of .vii. yeres next after euery felling therof, in like maner and fourme to all intentes and purpoſes, and vpon the ſame and like peines & penal-

ties as is before limitted rehersed and appointed for the not closyng or fensyng, and for the not keping maintening repairing and preseruing of the said seuerall coppies vnderwoodes and woodes. And also that the standils stozers and greate trees limytted and appointed to be lefte standyng in or vpon the said part, shalbe there left standyng preserued & not cutte downe in suche lyke maner and fourme, and by all suche tyme and vpon such lyke penalties to all intentes and purposes, as is afore limitted appoynted and declared for the preseruatiō and not fellyng of the said standils stozers and great trees limitted and appoynted to be lefte in and vpon the said seuerall coppies vnderwoodes & woodes. And that after the said fellyng of the said coppies vnderwoodes & woodes, standing growing, or being, or that shall stand growe or be in any suche parte of any the sayde woodes groundes or places as is before declared, no beasties or cattell, duryng the space of. vii. yeres nexte after the fellynge of the same woodes, shall willyngly, by any person or persons, be put in, or shalbe suffred to feede or to continue in any parcell of any such parte so set furth as is aforesayd, duryng the said terme of. vii. yeres next after the fellyng therof, vpō peine of forfaiture & penaltie of. iiii. d. for the putting in of euery beast, or wilful suffring of euery beast or cattel to be put into any of ꝑ said seuerall coppies vnderwoodes or woodes.

¶ And if it shall happen any person or persons, beynge owner or owners of any suche woodes vnderwoodes or coppies, set lyenge and beyng in any wast ground as is aforesaid, to cut downe any trees or vnderwoodes, contrary to the forme aforesaide: that then euery person or persons owner or owners, so offending cōtrary to this acte, shal lose and forfeit for euery tree so cut downe. vi. s. viii. d. the one half of al the said forfeitures to be to our soueraigne lord the kyng, and the other moyte to such person that wyl sewe for the same by bill plaint action of det or information in any of the kinges courtes of record, in which suite no protection wager of lawe or essoyn shall be allowed nor admitted.

¶ Prouided alwaye and be it enacted by the auctoritie aforesaide, that for asmuch as the saide tenantes comonours and inhabitantes shalbe by auctoritie of this act excluded of their cōmune in the said part so to be seuered and set forth as is aforesaid, by al the said space and terme of. vii. yeres next after the felling or cutting downe of the saide coppies woodes and vnderwoodes, that shal growe in or vpon the same parte from time to time, that in recompence therof the same cōmonours tenantes and inhabitantes shal and maye vse take & haue their cōmun for their cattel within the residue of the said woodes vnderwoodes ground & soyle, not being inclosed, in maner and forme as if this act had neuer bene had ne made. And that the lord being owner of the said ground or soyle, shalbe by the auctoritie of this acte excluded and forclosed, to put or haue any cattell or beasties in or vpon the same residue, or to take any profit of the pasture in or vpon the said residue, during and by al the said terme and time of. vii. yeres, next after the felling or cutting downe of the saide coppies woodes or vnderwoodes, beinge or

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growyng, or that shalbe or growe in or vpon the said parte, whiche shalbe so seuered deuyded set out bounded and inclosed as is aforesaid. And that from and after the sayd. vii. yeres expired and ended, vntyl the next felling or cuttingdowne of the said coppies woodes or vnderwoodes, being vpon the said part, beyng so seuered and deuided as is afore said, aswell the same parte as the said residue of the said ground & soile, shall lye and be vsed in cõmune, and the pasture and other profittes therof shall & may be vsed and taken, aswell by the lorde being owner of the said ground or soyle, as by the said tenauntes cõmonours and inhabitantes, in lyke maner forme and cõdition as it shuld or ought to haue bene before the making of this act, and as if this acte had neuer bene had or made: any thyng in this acte conteyned to the contrary therof not withstandynge.

¶ Prouided also that it shalbe lawfull to euery person and persons to felle and to enclose all theyr coppies woodes and vnderwoodes in any waste groundes, which before the makyng of this acte haue ben vsed to be enclosed preserued and kepte for the mayntenance of wood and vnderwood, any thynge in this acte to the contrary notwithstandynge.

¶ And where as peraduenture the lorde or owners of the foresaid woodes and vnderwoodes, after that they haue enclosed and fenced the. iiii. parte therof, or asmuch of the same as shalbe to them limitted and assigned by the said Justices of peace, or cõmmers, wyll not nor do not felle the same woodes and vnderwoodes soo enclosed or to be enclosed, but suffre the same to stond and growe, wherby the cõmonours, who ought to haue their cõmune of pasture within the same part so enclosed, shall lose and be put from theyr said cõmun therin: Be it therfore enacted by the auctoritie aforesaid, that if the same part of wood and vnderwood so enclosed, be not felled within. iiii. monethes next after the incloſing therof: That then and soo longe as the same woodes shall not be felled, it shalbe lawfull to the saide cõmonours, to put theyr cattel into the same wood and ground so enclosed, and that the owner therof shall leaue open cõuenient places, within the same enclosure, wherby the cõmonours beastes may haue accesse & come into the same wood so enclosed and there to pasture and fede, as longe as the same wood shall stande and be vnfelled, any thynge conteyned in this acte to the contrary notwithstandynge.

¶ Prouided alwaye and be it enacted by auctoritie aforesaid, that this acte ne any thynge therin cõteyned or expressed, extende or be preiudiciall to any of the lordes or owners of the woodes vnderwoodes or woodlandes, growynge or beynge within any of the townes parishes or places commonly called or knowen to be within the weldes of the coũties of Kent, Surr, and Sussex, or of any of them, other then onely to the cõmon woodes growinge and beynge within any of the sayde weldes, of the saide counties of Kent, Surr, and Sussex: any thynge in this present acte to the contrary notwithstandynge.

¶ Prouided alwayes that this present acte or any thing therin conteyned,

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shall not extende or be prejudicial or hurtfull, or extende to charge any person or persons, which before the feast of sainct Michael the archangel, in the xxviii. yere of the reigne of our soueraigne lord kyng Henry the. viii. haue bargayned and bought woodes or great trees, growyng in any the same woodes, for or concernyng the fellyng or cuttyng downe of the same woodes or trees, or not leauynge of any standilles or stoyers of and in the same, according to the tenour of this present acte: any thyng penaltie or forfayture in this present acte conteyned to the contrary therof not withstandyng.

¶ Prouided alwaye, and be it further enacted by the auctoritie aforesaide, that this acte or any thyng therin conteyned, shall not extende to charge any person or persons, with any penaltie or penalties conteyned in this present acte, for or concernyng any tymber trees growing within two myles of the see, in the county of Cornewall, or any other tymber trees within the realme, being seare and dead in the toppes, or any timber trees to be taken by vertue of the kynges highnes commission within the realme, or for or concerning any offence done contrary to the tenour of this act: onlesse the same person or persons offendyng this acte, be sued for the same within one yere nexte after the same offence committed or done: any thing in this act conteyned to the contrary in any wyse not withstandyng.

¶ Prouided alwayes and be it further enacted by the said auctoritie, that if any person or persons do breake or destroy any seuerall fenses or hedges, made or to be made for the sauing of the same woodes vnderwoodes grou̅des or soyles, that euery person so offendynge shall forfeyte and lose for euery such offence. x. s.

¶ And be it also enacted by the auctoritie aforesaide, that if any person or persons suffre his swine, being of the age of ten wekes or aboue, during suche yeres as the said woodes be appoynted and ordeyned by this acte to be enclosed, at any tyme after the fyrst day of August next commyng, to go or runne in any common or seuerall ground or woodes, onles the same swyne be sufficiently ringed or pegged: that then the owner or owners of euery suche swyne shall forfeyte and lose for euery such his swyne, that shall so go or runne in any the sayde groundes woodes or vnderwoodes: and not beyng sufficiently ringed or pegged as is aforesaid, from and after the saide fyrst day of August nexte comyng. iiii. d. the one halfe of all and euery the saide forfeytures, if it be in any of the kinges woodes or groundes, to be to his highnes, & the other to the fynder therof. And if it be within any other person or persons sayde groundes woodes or vnderwoodes, then the one halfe of all and euery the same forfeytures to be to the owners of the soyle, and the other parte therof to be to hym that wyll sue for the same by byll plainte action information or otherwise in any courte of recorde, wherin no wager of lawe essoine or protection shalbe allowed nor admitted.

¶ Prouided alwaye, that where any woodes or vnderwoodes, shall after the saide feast of saynt Michel the archangell be felled or cut downe in any parke or grounde inclosed, wherin any deere shalbe then kept, that the owner

ner or owners possessioner or possessioners of suche parke and parkes or groundes inclosed for dere, to be chargeable for the enclosure and preseruation of the same, as is aforesaide, but only for the space of. iiii. yeres after any such tyme of kellynge or cuttyng downe of the same coppies woodes or vnderwoodes, and not aboue: any thynge conteyned in this acte to the cõtrary therof in any wyse notwithstandynge.

¶ Prouided also and be it enacted by the auctoritie aforesayde, that if the enclosure or enclosures of any of the saide coppies woodes vnderwoodes or groundes, happen to be broken or pulled downe by any person or persons agaynst the wylles and mindes of the owner or owners possessioner or possessioners of the same woodes or vnderwoodes, wherby cattell or beastes escape into the same woodes groundes or vnderwoodes, and dystroye or hurte the spryng therof, or if the same woodes groundes or vnderwoodes be by any meanes destroyed hurted or hindred by any maner of person or persons, or by the cattel or beastes of any person or persons without the assentes mindes and willes of suche owner or owners, possessour or possessours: that then and in euery suche case the said penalties conteyned in this acte, to be extended vpon the same person or persons, in or by whose default the same spryngē wood or vnderwoode shalbe so distroied hurted or hyndred, and not vpõ the owner or owners, possessour or possessours of the saide woodes groundes or vnderwoodes, any thyng conteyned in this acte to the contrary therof in any wyse notwithstandyng.

¶ Prouided also and be it furthermore enacted by the auctoritie aforesaid that it shal and may be lawfull to euery owner and owners, possessour and possessours, their fermours and assignes of all & singular the said woodes vnderwoodes groundes and coppies, after such tyme as the same woodes vnderwoodes groundes and coppies, haue ben fensed and inclosed, or the spryng therof otherwise preserued by the space of two yeres nexte after the kellynge therof, to put coltes and calues, beyng vnder the age of one yere, into the sayde woodes vnderwoodes groundes and coppies, any thing cõteynes in this acte to the contrary therof in any wyse notwithstandyng.

¶ And this present acte and actes to endure only by the space of. vii. yeres nexte after the said feast of saint Michel tharchangel: and from thense vntyll the ende of the nexte parliament.

Thomas Berthelet regius impressor excudebat.

CVM PRIVILEGIO AD IMPRIMENDVM SOLVM.

AN ACTE concerning the kinges generall pardon. Cap. xviii.

THe kynges moſt royal maieſtie, prudently cõſydering that albeit his highnes of his moſt excellent pitie benignitie & mercy, manifolde tymes heretofore mercifully and lyberally hath graunted his moſt free & generall pardon to all and ſingular his ſubiectes, by the whiche his maieſtie hath remitted and releaſed innumerable & meſtimable ſubſtance and profittes, which he mought haue lawfully had and taken by the lawes and cuſtomes of this his realme, truſtyng by his often remiſſion pardon and mercy miniſtred to his ſubiectes, to allure offendours from vice to vertue, and that they wold put their diligent deuoirs, to amend and reforme theyr abuſes: yet neuer the leſſe his louyng add obedient ſubiectes, ſithens his laſte moſt gracious and lyberal pardon to them graunted, haue incurred in to innumerable penalties loſſes forfeytures and damages, wherof none or fewe of them are able to make ful recompence or cõdigne ſatiſfaction to his highnes, if his maieſtie ſhuld proceede againſt them by due courſe of his lawes, truſtyng that nowe frõ henſeforth they wyll eftesones amend and beware the incurryng of the foreſayde dangiers and perilles, ſeyng they haue had ſo many admonitions and gentle warnynges, and perceyuyng alſo the great zeale and affection, which his louyng ſubiectes beare vnto hym and his dignitie royall, as by many waies in this preſent parliament they haue declared and ſhewed. In cõſideration wherof, and truſting as afore, the kinges highnes to ſhewe vnto his louynge ſubiectes, that he bothe can and wyll conſider whan he is both kindly and louyngly handled of them, vpon his mere motion, & to declare alſo his tender loue & affection, which he beareth vnto his nobilitie and ſubiectes accordyng to his accuſtomable goodnes, is contented and pleaſed at this tyme to extende his pitie mercy & benignitie to al and ſingular his ſubiectes of this his realme of England Wales the yſles of Jernſey and Garnſey Berwike and Caleys and the marches of the ſame, by waye of his free pardon and remiſſion, as hereafter foloweth, rather couetinge their amendmentes by gentle and mercifull meanes, than to be enriched by their cuyll deedes and offences. And for that his ſaid free pardon to be had taken and enioied to & by them and euery of them, by vertue of this preſent act, his grace is fully and reſolutely contented and pleaſed, that it be enacted by auctoritie of this preſent parliament, in maner and fourme folowyng, that is to ſay: That all and euery of his ſaid ſubiectes as well ſpirituall as temporall of this his realme of England, Wales, the ſayde yſles of Jernſey and Garnſey, Berwike and Caleys and the marches of the ſame, the heires ſucceſſours executours and adminiſtratours of them and euery of them, and all and ſyngular bodies in any maner of wyſe corporate, cities boroughes ſhires ridinges hundredes

lathes rapes wapentakes townes byllages and tythynges and euery of them, and the ſucceſſour and ſucceſſours of euery of them, ſhalbe by auctoritie of this preſent parlyament acquited pardoned releaſed and diſcharged againſt the kinges highnes his heires ſucceſſours executours and euery of them, of all maner treaſons felonies robberies offences contemptes treſpaces wronges diſceites miſdemeanours forfeytures penalties and profittes, ſummes of money, peines of death, peines corporall and pecuniary, and generally of all other thinges cauſes quarelles ſuites iudgementes & executions in this preſent acte hereafter not excepted nor forpriſed, whiche may be or can be by his highnes in any wiſe or by any meane pardoned before and vnto the. xiiii. day of Januarij, in the. xxxv. yere of his moſt gracious reigne, to euery or any of his ſayde ſubiectes, bodies corporate, cities boroughes ſhyres ridinges hundredes lathes rapes wapentakes townes byllages and tythinges or any of them.

¶ And alſo the kinges highnes is contented, that it be enacted by auctoritie of this preſent parlyament, that his ſaide free pardon ſhall be as good and effectuall in the lawe to euery of his ſaid ſubiectes bodies corporat and other before reherſed, and to euery of them, by the ſaid generall wordes before reherſed, in and agaynſte all thynges, whiche be not herafter in this preſent acte excepted, as the ſame pardon ſhuld haue ben if al offences contemptes forfeytures cauſes matters ſuites quarelles iudgementes executions penalties and all other thinges not hereafter excepted, had ben particularly ſingularly ſpecyally and playnely named reherſed and ſpecified, and alſo pardoned by proper and erpreſſe wordes & names in theyr kyndes natures & qualities by wordes and termes therunto requiſite to haue ben put and erpreſſed in this preſent acte of free pardon. And that his ſaid ſubiectes nor any of theym, or the heyres executours and adminiſtratours of any of them, nor any of the ſaid bodies corporat and others before named or any of them, be or ſhalbe ſued vexed or inquieted in their bodyes goodes landes or cattalles for any maner matter cauſe contempte miſdemeanour forfeiture treſpas offence or any other thing ſuffred done or cõmitted before the ſayd. xiiii. day of Januarij, againſt his highnes his crowne dignity prerogatiue lawe or ſtatutes, but onely for ſuch matters cauſes and offences as be playnly reherſed in the exceptions in this preſent acte herafter mencioned, and for none other, any ſtatute or ſtatutes lawes cuſtomes vſes or preſident heretofore hadde made or vſed to the contrary in any wyſe notwithſtandinge.

¶ Alſo the kinges highnes of his bounteous liberallitie, by auctorite of this preſent parliament, granteth and freely gyueth to euery of his ſayde ſubiectes and to euery of the ſaide bodyes corporate and other before reherſed and to euery of them, all ſuch forfaitures and ſummes of money by any of them forfaited, which to his highnes do or ſhuld belong or apperteine by reaſon of any offence contempt treſpas miſdemeanour matter cauſe or quarell ſuffered done or committed by them or any of them, before the ſaid. xiiii.

daye

daye of January, whiche be not herafter playnly expressed or excepted in this present acte. And all and euery the kynges saide subiectes, and all and singular bodyes corporate and other before reherſed, maye by hym or them selues, or his or theyr deputie or deputies, or by his or theyr atturney or atturneyes, accordynge to the lawes of this realme, pleade and minister this present acte of free pardon, for his or theyr discharge of and for euery thyng that is by vertue of this present act pardoned discharged gyuen or graunted, without any fee or other thynge in any wyse paying to any person or persons for wrytyng or entree of the iudgement or other cause concernynge such plea writing or entree, but only .xii. d. to be paied to the officer or clerke that shall enter the plea matter or iudgement for the parties dyscharge in that behalfe: any statute or vse to the contrary notwithstandynge.

¶ And furthermore the kynges hyghnes is contented and pleased, that it be enacted by the auctoritie of this present parliament, that this his sayde free pardon, by the generall wordes before reherſed, shalbe reputed demed and adiudged allowed and taken in al maner courtes of his and els where, in all and singular clauses wordes and sentēces mentioned and reherſed in this sayd free pardon, most beneficially and auaylably to all and singular his said subiectes bodies corporate and others before reherſed, & to euery of them, and most strongly in barre and discharge agaynst his highnes his heires successours and executours in euery thing, without any obstacle ambiguitie chalenge or other delaye what so euer it shalbe, to be made pleded obiected or alledged by the kyng our soueraygne lord his heyres successours or executours, or by his or any of theyr generall attourney or attourneyes, or by any person or persōs for his highnes or any of his heires successours or executours.

¶ And furthermore it is enacted by the auctoritie of this present parliament, that if any officer or clerke of any of his highnes courtes, commonly called the kynges benche chauncery and common place, or of his eschequer, or any other officer or clerke of any other of his courtes, within this realme, at any tyme after the fyrste daye of May nexte commyng, whiche shalbe in the yere of our lord god M. D. XLIIII. make out or wryte out any maner writtes or other processe, or any extretes sōmons or other preceptes, wherby any of the said subiectes or any of the said bodies corporate or other before reherſed, or any of them shalbe in any wise arrested attached distrayned sōmoned or otherwise vexed inquieted or grieued in his or their bodies landes tenemētes goodes or cattalles or in any of thē, for or bicause of any maner thyng pardoned or discharged by vertue of this acte of free pardon: Then he so offendyng, & therof lawfully condemned, shall yeld and pay for recompence therof to the party so grieued or offended, treble damages, accompted as parcels of these damages al costes of the suite: And neuertheles al and singular suche writtes proces extretes & preceptes, so to be made for or vpon any maner thyng pardoned or dischaged by this present acte of free pardon, shalbe vtterly voyde and of none effecte.

Except and alwaies forprised out of this generall & free pardon, all and all maner of heresies and erronious opinions, and all maner of such hygh treasons committed or done by any person or persons, by any ouert decde writting or printyng onely against the kynges and the quenes most royall persons, or either of them, the heyres and successours of his maiestie or any of them, and all insurrections rebellions conspiracies and confederacies traiterously had cõmitted deuised or done by any person or persons against the kinges person or this his realme. AND also excepted al treasons committed or done by any person or persons by colour of any pretence to the intent to depriue the kinges maiestie of his title of supreme hed of the church of England and Irelande, or of any of them. AND also excepted al maner of treasons cõmitted or done by any person or persons in the partes beyond the sea, or in any other place out of the kynges dominions, and all suites punishementes executions, peynes of deathe, forfeitures and penalties for or by reason or occasion of any of the heresies or treasons afore excepted. AND also excepted and forprised out of the saide pardon, all offences and contemptes committed and done by any person or persons against the statute or statutes of prouision and premunire, or agaynste any of the same statutes, and all forfeytures profyttes and tyties that maye growe or come to the kynges highnesse by reason of the same. AND also excepted all prepensed and voluntary murders, al kyndes of voluntary and wilfull poysonynge of any person or persons, and all offences concernynge the abhominable vice of buggery. And al and singular burgularies of houses and churches, and all robberies of goodes in churches or churche, All robberies done vppon or to menncs persons, all rapes and carnall rauishmentes of women, all wilfull and fellonious burnyng of houses, all wylfull escapes, as well of heretykes traytours and felons, as of clerkes atteinted. AND also excepted al felonies and robberies against the lawes and statutes of this realme, of felonious takyng or stealing of any money goodes or cattalles aboue the value of. xl. s. AND also excepted all & syngular accessaries of or to the saide offences before excepted, and to euery of them or any of them. AND also excepted all atteinders and vtlauries of heresies treasons murders robberies and burgularies, and also of felonyes aboue the summe of. xl. s. promulged or had agaynst any person or persons.

AND also excepted all offences committed or done by any coniuration nygromancy wytchecraftes sorcery or inchantment, contrary to the fourme of any the statutes in that case prouided: And all offences done by dyggyng downe or castyng downe of any crosse or crosses. AND also excepted al maner of prophesieng vpõ declaration of names armes badges or other thynges contrary to the statute in that case prouided. AND also excepted all riottes routes and vnlawfull assemblies committed or done aboue the number of. xx. persons. AND also excepted all maner of alienations and gyftes in to mortmayne, or to the vse of any maner of mortmayne, without the kynges lycence. And all maner of takynge the issues rentes reuenues

and

and profittes of any landes tenementes or hereditamentes, of any treytour murderer felon clerke or clerkes atteynted, persons outlawed and fugitiues, or of any of them. AND also excepted al treasure troue, and al intrusions had made or done in any manours landes tenementes or other hereditamentes. AND also excepted all wastes of the kynges woodes, in any of his forestes parkes chaces and elles where, and al offences agaynst vert and venison, in any of the kinges forestes parkes or chaces, contrary to the statute or statutes therof had or made: And al wastes committed and done in any of the kynges wardes landes, or in the wardes landes of any of the kynges committees. AND also excepted all forfeitures of mariage, and al offences of vsury and corrupte bargaynes. And also all concelementes of customes and subsidies, and of al and singular accomptantes. AND also excepte all and singular dettes due to the kinges highnes, or to any other to his vse. AND also except all enclosures and decayes of houses of husbandry made done cõmitted or permitted contrary to the fourme and effect of any estatute or estatutes heretofore made, and all issues profyttes amerciamentes fynes and other penalties, whiche nowe be due for any suche enclosure or decayes. AND also excepted all maner of rasinges enterlynynges embeselynge and withdrawynge of any recorde in any of the kynges courtes agaynst the fourme of the statute in that case prouided.

AND also excepted all maner of vnlawful claymes vsurpations vser abuser and not vser of any liberties fraunchises priuileges and iurisdictions, wherof or for the which any writte or suite of Quo warranto is nowe dependyng in any of the kynges courtes. AND also excepted and forprised all offences committed suffered or done by any person or persons agaynst the fourme of the statute or statutes of sewers and kedels. AND also excepte all and singular alienations without licence, of any manours landes tenementes or hereditamentes, holden of the kyng in chiefe: And al raushmentes and witholdynges of the kynges wardes and wardes landes, at any tyme come or growen to the kynges handes, and not yet discharged.

AND also excepted all accomptes and al actions suites & impetitions for the same. And all arrerages of accomptes and dettes due for the same, and all deteining and withholding from the kinges highnes of any of his goodes or cattalles. And also excepte all titles and actions of Quare impedit, and all escapes of clerkes attemted, and all homages and reliefes rentes seruices and arrerages of the saine not done or payed.

¶ And also excepted all dettes whiche were due to the most noble kyng of famous memory king Henry the seuenth, or to any person or persons to his vse, by any condemnation recognisaunce obligation or otherwyse.

¶ And also all and singular those forfeitures being due to our soueraigne lorde kyng Henry the. viii. by any penaltie statute or statutes, whiche be cõuerted in to the nature of det by iudgement or by agreement of the offendour or offendours.

¶ And also excepted all forfaytures and other penalties and profites gro-

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wen or due by reason of any offence or act committed or done contrary to any statute or statutes, or contrary to the common lawe, wherof any seasure is made, or any informacion is geuen in the kynges eschcker, or any suite or action commensed in the same eschcker, or in the kinges benche, common place, or in the sterre chamber, or wherof the kynges hyghnes by his byll signed or otherwise, heretofore hath made any gyfte or assignement to any person or persons.

¶ And also excepted all issues fines and amerciamentes affered tared set extreated or iudged seuerally or particularly, extendynge to any summe or summes of money.

¶ And also excepted and forprised out of this generall and free pardon all suche persons as the saide. xiiii. daye of January or after, and before the xvii. day of March, in the yere of our lord god M. D. XLIII. were or be in prison, within the toure of London or els where for any maner offence of heresy or high treason. AND also excepted all and euery such person and persons as haue ben hertofore excepted and forprised by name or names in any general pardon, or in any other pardon geuen or graunted by our said soueraigne lorde the kynge.

¶ And also excepted all suche person and persons, whiche haue heretofore fledde for theyr offences of heresie or hyghe treason out of this realme of England or other the kynges dominions of the same.

¶ Prouided alwaye and be it enacted by the auctoritie of this presente parliament, that all and euery person and persons, whiche haue tended or ought to sue lyuery out of our sayd soueraigne lorde the kynges handes, of any manours landes tenementes and hereditamētes what so euer they be, shall sue his or their liuery and liueries out of our sayd soueraigne lord the kinges handes, of his or their manours landes tenementes and hereditamentes, any article acte or actes, thynge or thynges in this present acte of generall and free pardon comprised and specified to the contrary notwithstandynge.

GOD SAVE THE KYNG.

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CVM PRIVILEGIO AD IMPRIMENDVM SOLVM.